

2 **ESHB 1464** - S COMM AMD S2994.1

3 By Committee on Government Operations

4 ADOPTED AS AMENDED BY S-3279.1, S-3132.4, S-3233.1 - 4/14/93

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 42.12 RCW
8 to read as follows:

9 A vacancy on an elected nonpartisan governing body of a special
10 purpose district where property ownership is not a qualification to
11 vote, a town, or a city other than a first class city or a charter code
12 city, shall be filled as follows unless the provisions of law relating
13 to the special district, town, or city provide otherwise:

14 (1) Where one position is vacant, the remaining members of the
15 governing body shall appoint a qualified person to fill the vacant
16 position.

17 (2) Where two or more positions are vacant and two or more members
18 of the governing body remain in office, the remaining members of the
19 governing body shall appoint a qualified person to fill one of the
20 vacant positions, the remaining members of the governing body and the
21 newly appointed person shall appoint another qualified person to fill
22 another vacant position, and so on until each of the vacant positions
23 is filled with each of the new appointees participating in each
24 appointment that is made after his or her appointment.

25 (3) If less than two members of a governing body remain in office,
26 the county legislative authority of the county in which all or the
27 largest geographic portion of the city, town, or special district is
28 located shall appoint a qualified person or persons to the governing
29 body until the governing body has two members.

30 (4) If a governing body fails to appoint a qualified person to fill
31 a vacancy within ninety days of the occurrence of the vacancy, the
32 authority of the governing body to fill the vacancy shall cease and the
33 county legislative authority of the county in which all or the largest
34 geographic portion of the city, town, or special district is located
35 shall appoint a qualified person to fill the vacancy.

1 (5) If the county legislative authority of the county fails to
2 appoint a qualified person within one hundred eighty days of the
3 occurrence of the vacancy, the county legislative authority or the
4 remaining members of the governing body of the city, town, or special
5 district may petition the governor to appoint a qualified person to
6 fill the vacancy. The governor may appoint a qualified person to fill
7 the vacancy after being petitioned if at the time the governor fills
8 the vacancy the county legislative authority has not appointed a
9 qualified person to fill the vacancy.

10 (6) As provided in RCW 29.15.190 and 29.21.410, each person who is
11 appointed shall serve until a qualified person is elected at the next
12 election at which a member of the governing body normally would be
13 elected that occurs twenty-eight or more days after the occurrence of
14 the vacancy. If needed, special filing periods shall be authorized as
15 provided in RCW 29.15.170 and 29.15.180 for qualified persons to file
16 for the vacant office. A primary shall be held to nominate candidates
17 if sufficient time exists to hold a primary and more than two
18 candidates file for the vacant office. Otherwise, a primary shall not
19 be held and the person receiving the greatest number of votes shall be
20 elected. The person elected shall take office immediately and serve
21 the remainder of the unexpired term.

22 If an election for the position that became vacant would otherwise
23 have been held at this general election date, only one election to fill
24 the position shall be held and the person elected to fill the
25 succeeding term for that position shall take office immediately when
26 qualified as defined in RCW 29.01.135 and shall service both the
27 remainder of the unexpired term and the succeeding term.

28 **Sec. 2.** RCW 42.12.010 and 1981 c 180 s 4 are each amended to read
29 as follows:

30 Every elective office shall become vacant on the happening of any
31 of the following events:

32 (1) The death of the incumbent;

33 (2) His or her resignation. A vacancy caused by resignation shall
34 be deemed to occur upon the effective date of the resignation;

35 (3) His or her removal;

36 (4) His or her ceasing to be a legally ~~((qualified elector))~~
37 registered voter of the district, county, city, town, or other
38 municipal or quasi municipal corporation from which he or she shall

1 have been elected or appointed, including where applicable the council
2 district, commissioner district, or ward from which he or she shall
3 have been elected or appointed;

4 (5) His or her conviction of a felony, or of any offense involving
5 a violation of his or her official oath;

6 (6) His or her refusal or neglect to take his or her oath of
7 office, or to give or renew his or her official bond, or to deposit
8 such oath or bond within the time prescribed by law;

9 (7) The decision of a competent tribunal declaring void his or her
10 election or appointment; or

11 (8) Whenever a judgment shall be obtained against that incumbent
12 for breach of the condition of his or her official bond.

13 **Sec. 3.** RCW 43.06.010 and 1992 c 172 s 1 are each amended to read
14 as follows:

15 In addition to those prescribed by the Constitution, the governor
16 may exercise the powers and perform the duties prescribed in this and
17 the following sections:

18 (1) The governor shall supervise the conduct of all executive and
19 ministerial offices;

20 (2) The governor shall see that all offices are filled, including
21 as provided in section 1 of this act and the duties thereof performed,
22 or in default thereof, apply such remedy as the law allows; and if the
23 remedy is imperfect, acquaint the legislature therewith at its next
24 session;

25 (3) The governor shall make the appointments and supply the
26 vacancies mentioned in this title;

27 (4) The governor is the sole official organ of communication
28 between the government of this state and the government of any other
29 state or territory, or of the United States;

30 (5) Whenever any suit or legal proceeding is pending against this
31 state, or which may affect the title of this state to any property, or
32 which may result in any claim against the state, the governor may
33 direct the attorney general to appear on behalf of the state, and
34 report the same to the governor, or to any grand jury designated by the
35 governor, or to the legislature when next in session;

36 (6) The governor may require the attorney general or any
37 prosecuting attorney to inquire into the affairs or management of any
38 corporation existing under the laws of this state, or doing business in

1 this state, and report the same to the governor, or to any grand jury
2 designated by the governor, or to the legislature when next in session;

3 (7) The governor may require the attorney general to aid any
4 prosecuting attorney in the discharge of (~~his~~) the prosecutor's
5 duties;

6 (8) The governor may offer rewards, not exceeding one thousand
7 dollars in each case, payable out of the state treasury, for
8 information leading to the apprehension of any person convicted of a
9 felony who has escaped from a state correctional institution or for
10 information leading to the arrest of any person who has committed or is
11 charged with the commission of a felony;

12 (9) The governor shall perform such duties respecting fugitives
13 from justice as are prescribed by law;

14 (10) The governor shall issue and transmit election proclamations
15 as prescribed by law;

16 (11) The governor may require any officer or board to make, upon
17 demand, special reports to the governor, in writing;

18 (12) The governor may, after finding that a public disorder,
19 disaster, energy emergency, or riot exists within this state or any
20 part thereof which affects life, health, property, or the public peace,
21 proclaim a state of emergency in the area affected, and the powers
22 granted the governor during a state of emergency shall be effective
23 only within the area described in the proclamation;

24 (13) The governor shall, when appropriate, submit to the select
25 joint committee created by RCW 43.131.120, lists of state agencies, as
26 defined by RCW 43.131.030, which agencies might appropriately be
27 scheduled for termination by a bill proposed by the select joint
28 committee;

29 (14) The governor may, after finding that there exists within this
30 state an imminent danger of infestation of plant pests as defined in
31 RCW 17.24.007 or plant diseases which seriously endangers the
32 agricultural or horticultural industries of the state of Washington, or
33 which seriously threatens life, health, or economic well-being, order
34 emergency measures to prevent or abate the infestation or disease
35 situation, which measures, after thorough evaluation of all other
36 alternatives, may include the aerial application of pesticides;

37 (15) On all compacts forwarded to the governor pursuant to RCW
38 9.46.360(6), the governor is authorized and empowered to execute on
39 behalf of the state compacts with federally recognized Indian tribes in

1 the state of Washington pursuant to the federal Indian Gaming
2 Regulatory Act, 25 U.S.C. Sec. 2701 et seq., for conducting class III
3 gaming, as defined in the Act, on Indian lands.

4 **Sec. 4.** RCW 14.08.304 and 1979 ex.s. c 126 s 3 are each amended to
5 read as follows:

6 The board of airport district commissioners shall consist of three
7 members(~~(, who shall each be a registered voter and actually a resident~~
8 ~~of the district)~~). The first commissioners shall be appointed by the
9 county legislative authority. At the next general district election,
10 held as provided in RCW 29.13.020, three airport district commissioners
11 shall be elected. The terms of office of airport district
12 commissioners shall be two years, or until their successors are elected
13 and qualified and have assumed office in accordance with RCW 29.04.170.
14 Members of the board of airport district commissioners shall be elected
15 at each regular district general election on a nonpartisan basis in
16 accordance with the general election law. (~~(They shall be nominated by~~
17 ~~petition of ten registered voters of the district.)~~) Vacancies on the
18 board of airport district commissioners shall occur and shall be filled
19 (~~(by appointment by the remaining commissioners)~~) as provided in
20 chapter 42.12 RCW. Members of the board of airport district
21 commissioners shall receive no compensation for their services, but
22 shall be reimbursed for actual necessary traveling and sustenance
23 expenses incurred while engaged on official business.

24 **Sec. 5.** RCW 28A.315.520 and 1971 c 53 s 4 are each amended to read
25 as follows:

26 A majority of all members of the board of directors shall
27 constitute a quorum. Absence of any board member from four consecutive
28 regular meetings of the board, unless on account of sickness or
29 authorized by resolution of the board, shall be sufficient cause for
30 the remaining members of the board to declare by resolution that such
31 board member position is vacated. In addition, vacancies shall occur
32 as provided in RCW 42.12.010.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 29.15 RCW
34 to read as follows:

35 If, after the close of the period established by RCW 29.15.020 for
36 filing declarations of candidacy for the office of superintendent of

1 public instruction or the nonpartisan elective office of a county,
2 city, town, or special purpose district, no candidate or only one
3 candidate has filed such a declaration for the nonpartisan office, the
4 closure of the filing period for the office shall be extended. The
5 extended filing period shall close at the end of business on the first
6 Friday following the normal closing of that period under RCW 29.15.020.

7 Declarations and affidavits of candidacy filed during this extended
8 filing period for the office shall be filed in the same manner, with
9 the same fees or petitions, and with the same officer as prescribed for
10 filings made under RCW 29.15.020. The names of candidates who validly
11 file within this extension of the filing period shall appear on the
12 ballot as if the filings had been made during the normal filing period
13 under RCW 29.15.020.

14 The requirements of this section apply to a nonpartisan office of
15 a county unless the provisions of the county's home rule charter
16 provide otherwise. This section does not apply to a judicial office.

17 **Sec. 7.** RCW 29.15.050 and 1990 c 59 s 85 are each amended to read
18 as follows:

19 A filing fee of one dollar shall accompany each declaration of
20 candidacy for precinct committee officer; a filing fee of ~~((ten))~~
21 twenty dollars shall accompany the declaration of candidacy for any
22 office with a fixed annual salary of one thousand dollars or less; a
23 filing fee equal to one percent of the annual salary of the office at
24 the time of filing shall accompany the declaration of candidacy for any
25 office with a fixed annual salary of more than one thousand dollars per
26 annum. No filing fee need accompany a declaration of candidacy for any
27 office for which compensation is on a per diem or per meeting attended
28 basis, nor for the filing of any declaration of candidacy by a write-in
29 candidate.

30 A candidate who lacks sufficient assets or income at the time of
31 filing to pay the filing fee required by this section shall submit with
32 his or her declaration of candidacy a nominating petition. The
33 petition shall contain not less than a number of signatures of
34 registered voters equal to the number of dollars of the filing fee.
35 The signatures shall be of voters registered to vote within the
36 jurisdiction of the office for which the candidate is filing.

37 When the candidacy is for(~~(~~

1 ~~(1))~~ a legislative or judicial office that includes territory from
2 more than one county, the fee shall be paid to the secretary of state
3 for equal division between the treasuries of the counties comprising
4 the district.

5 ~~((2) A city or town office, the fee shall be paid to the county
6 auditor who shall transmit it to the city or town clerk for deposit in
7 the city or town treasury.))~~

8 **Sec. 8.** RCW 29.15.120 and 1990 c 59 s 86 are each amended to read
9 as follows:

10 A candidate may withdraw his or her declaration of candidacy at any
11 time before the close of business on the Thursday following the last
12 day for candidates to file under RCW 29.15.020 by filing, with the
13 officer with whom the declaration of candidacy was filed, a signed
14 request that his or her name not be printed on the ballot. There shall
15 be no withdrawal period for declarations of candidacy filed during
16 extended or special filing periods held under this title. The filing
17 officer may permit the withdrawal of a filing for the office of
18 precinct committee officer at the request of the candidate at any time
19 if no absentee ballots have been issued for that office and the general
20 election ballots for that precinct have not been printed. The filing
21 officer may permit the withdrawal of a filing for any elected office of
22 a city, town, or special district at the request of the candidate at
23 any time before a primary if the primary ballots for that city, town,
24 or special district have not been ordered. No filing fee may be
25 refunded to any candidate who withdraws under this section. Notice of
26 the deadline for withdrawal of candidacy and that the filing fee is not
27 refundable shall be given to each candidate at the time he or she
28 files.

29 NEW SECTION. **Sec. 9.** A new section is added to chapter 29.15 RCW
30 to read as follows:

31 Each person who files a declaration of candidacy for an elected
32 office of a city, town, or special district shall be given written
33 notice of the date by which a candidate may withdraw his or her
34 candidacy under RCW 29.15.120.

35 **Sec. 10.** RCW 29.15.150 and 1973 c 4 s 3 are each amended to read
36 as follows:

1 Whenever it shall be necessary to hold a special election in an
2 odd-numbered year to fill an unexpired term of any office which is
3 scheduled to be voted upon for a full term in an even-numbered year, no
4 September primary election shall be held in the odd-numbered year if,
5 after the last day allowed for candidates to withdraw or after the end
6 of an extended filing period provided by section 6 of this act, either
7 of the following circumstances exist:

8 (1) No more than one candidate of each qualified political party
9 has filed a declaration of candidacy for the same partisan office to be
10 filled; or

11 (2) No more than two candidates have filed a declaration of
12 candidacy for a single nonpartisan office to be filled.

13 In either event, the officer with whom the declarations of
14 candidacy were filed shall immediately notify all candidates concerned
15 and the names of the candidates that would have been printed upon the
16 September primary ballot, but for the provisions of this section, shall
17 be printed as nominees for the positions sought upon the November
18 general election ballot.

19 **Sec. 11.** RCW 29.15.160 and 1975-'76 2nd ex.s. c 120 s 9 are each
20 amended to read as follows:

21 A void in candidacy for a nonpartisan office occurs when an
22 election for such office, except for the short term, has been scheduled
23 and (~~no valid declaration of candidacy has been filed for the position~~
24 ~~or~~) all persons filing (~~such~~) valid declarations of candidacy for
25 the office have died or been disqualified.

26 **Sec. 12.** RCW 29.15.170 and 1975-'76 2nd ex.s. c 120 s 10 are each
27 amended to read as follows:

28 Filings for a nonpartisan office shall be reopened for a period of
29 three normal business days, such three day period to be fixed by the
30 election officer with whom such declarations of candidacy are filed and
31 notice thereof given by notifying press, radio, and television in the
32 county and by such other means as may now or hereafter be provided by
33 law whenever before the fourth Tuesday prior to a primary:

34 (1) A valid declaration of candidacy has not been filed for a
35 judicial office during the normal filing period for the office;

36 (2) All of the candidates who have filed for a nonpartisan office
37 have withdrawn their candidacies;

1 ~~(3)~~ A void in candidacy occurs;

2 ~~((+2))~~ (4) A vacancy occurs in any nonpartisan office leaving an
3 unexpired term to be filled by an election for which filings have not
4 been held; or

5 ~~((+3))~~ (5) A nominee for judge of the superior court entitled to
6 a certificate of election pursuant to Article 4, section 29, Amendment
7 41 of the state Constitution, dies or is disqualified.

8 Candidacies validly filed within ~~((said))~~ the three-day period
9 shall appear on the ballot as if made during the earlier filing period.

10 **Sec. 13.** RCW 29.15.200 and 1975-'76 2nd ex.s. c 120 s 13 are each
11 amended to read as follows:

12 If, after ~~((both))~~ the normal filing period ~~((and))~~ for which an
13 extension of the filing period is not required by section 6 of this
14 act, after such an extended filing period, or after a special three day
15 filing period as provided by RCW 29.15.170 and 29.15.180~~((, as now or~~
16 ~~hereafter amended, have passed and still))~~, no candidate has filed for
17 any single city, town, or district position to be filled, the election
18 for such position shall be deemed lapsed, the office deemed stricken
19 from the ballot and no write-in votes counted. In such instance, the
20 incumbent occupying such position shall remain in office and continue
21 to serve until ~~((his))~~ a successor is elected at the next election when
22 such positions are voted upon ~~((as provided by RCW 29.21.410, as now or~~
23 ~~hereafter amended))~~.

24 **Sec. 14.** RCW 29.21.015 and 1990 c 59 s 90 are each amended to read
25 as follows:

26 No primary may be held for any single position in any city, town,
27 or district, as required by RCW 29.21.010, if, after the last day
28 allowed for candidates to withdraw or after the end of an extended or
29 special filing period, there are no more than two candidates filed for
30 the position. The county auditor shall, as soon as possible, notify
31 all the candidates so affected that the office for which they filed
32 will not appear on the primary ballot. Names of candidates so notified
33 shall be printed upon the general election ballot in the manner
34 specified by RCW 29.30.025.

35 NEW SECTION. **Sec. 15.** A new section is added to chapter 35.02 RCW
36 to read as follows:

1 An election shall be held to elect city or town elected officials
2 at the next municipal general election occurring more than twelve
3 months after the date of the first election of councilmembers or
4 commissioners. Candidates shall run for specific council or commission
5 positions. The staggering of terms of members of the city or town
6 council shall be established at this election, where the simple
7 majority of the persons elected as councilmembers receiving the
8 greatest numbers of votes shall be elected to four-year terms of office
9 and the remainder of the persons elected as councilmembers shall be
10 elected to two-year terms of office. Newly elected councilmembers or
11 newly elected commissioners shall serve until their successors are
12 elected and qualified. The terms of office of newly elected
13 commissioners shall not be staggered, as provided in chapter 35.17 RCW.
14 All councilmembers and commissioners who are elected subsequently shall
15 be elected to four-year terms of office and shall serve until their
16 successors are elected and qualified and assume office in accordance
17 with RCW 29.04.170.

18 **Sec. 16.** RCW 35.17.020 and 1979 ex.s. c 126 s 17 are each amended
19 to read as follows:

20 All regular elections in cities organized under the statutory
21 commission form of government shall be held quadrennially in the odd-
22 numbered years on the dates provided in RCW 29.13.020. The
23 commissioners shall be nominated and elected at large. Their terms
24 shall be for four years and until their successors are elected and
25 qualified and assume office in accordance with RCW 29.04.170. ~~((If a
26 vacancy occurs in the commission the remaining members shall appoint a
27 person to fill it for the unexpired term.))~~ Vacancies on a commission
28 shall occur and shall be filled as provided in chapter 42.12 RCW,
29 except that in every instance a person shall be elected to fill the
30 remainder of the unexpired term at the next general municipal election
31 that occurs twenty-eight or more days after the occurrence of the
32 vacancy.

33 **Sec. 17.** RCW 35.17.400 and 1979 ex.s. c 126 s 18 are each amended
34 to read as follows:

35 The first election of commissioners shall be held ~~((within))~~ at the
36 next special election that occurs at least sixty days after the
37 ((adoption of)) election results are certified where the proposition to

1 organize under the commission form was approved by city voters, and the
2 commission first elected shall commence to serve as soon as they have
3 been elected and have qualified and shall continue to serve until their
4 successors have been elected and qualified and have assumed office in
5 accordance with RCW 29.04.170. The date of the second election for
6 commissioners shall be in accordance with RCW 29.13.020 such that the
7 term of the first commissioners will be as near as possible to, but not
8 in excess of, four years calculated from the first day in January in
9 the year after the year in which the first commissioners were elected.

10 **Sec. 18.** RCW 35.18.020 and 1981 c 260 s 7 are each amended to read
11 as follows:

12 (1) The number of ~~((councilmen))~~ councilmembers in a city or town
13 operating with a council-manager plan of government shall be ~~((in~~
14 ~~proportion to the population of the city or town indicated in its~~
15 ~~petition for incorporation and thereafter shall be in proportion to its~~
16 ~~population as last))~~ based upon the latest population of the city or
17 town that is determined by the office of financial management as
18 follows:

19 (a) A city or town having not more than two thousand inhabitants,
20 five ~~((councilmen))~~ councilmembers; and

21 (b) A city or town having more than two thousand, seven
22 ~~((councilmen))~~ councilmembers.

23 (2) ~~((All councilmen shall be elected at large or from such wards~~
24 ~~or districts as may be established by ordinance, and shall serve for a~~
25 ~~term of four years and until their successors are elected and qualified~~
26 ~~and assume office in accordance with RCW 29.04.170: PROVIDED, HOWEVER,~~
27 ~~That at the first general municipal election held in the city in~~
28 ~~accordance with RCW 29.13.020, after the election approving the~~
29 ~~council manager plan, the following shall apply:~~

30 (a) ~~One councilman shall be nominated and elected from each ward or~~
31 ~~such other existing district of said city as may have been established~~
32 ~~for the election of members of the legislative body of the city and the~~
33 ~~remaining councilmen shall be elected at large; but if there are no~~
34 ~~such wards or districts in the city, or at an initial election for the~~
35 ~~incorporation of a community, the councilmen shall be elected at large.~~

36 (b) ~~In cities electing five councilmen, the candidates having the~~
37 ~~three highest number of votes shall be elected for a four year term and~~
38 ~~the other two for a two year term commencing immediately when qualified~~

1 in accordance with RCW 29.01.135 and continuing until their successors
2 are elected and qualified and have assumed office in accordance with
3 RCW 29.04.170.

4 (c) In cities electing seven councilmen, the candidates having the
5 four highest number of votes shall be elected for a four year term and
6 the other three for a two year term commencing immediately when
7 qualified in accordance with RCW 29.01.135 and continuing until their
8 successors are elected and qualified and have assumed office in
9 accordance with RCW 29.04.170.

10 (d) In determining the candidates receiving the highest number of
11 votes, only the candidate receiving the highest number of votes in each
12 ward, as well as the councilman at large or councilmen at large, are to
13 be considered)) Except for the initial staggering of terms,
14 councilmembers shall serve for four-year terms of office. All
15 councilmembers shall serve until their successors are elected and
16 qualified and assume office in accordance with RCW 29.04.170.
17 Councilmembers may be elected on a city-wide or town-wide basis, or
18 from wards or districts, or any combination of these alternatives.
19 Candidates shall run for specific positions. Wards or districts shall
20 be redrawn as provided in chapter 29.70 RCW. Wards or districts shall
21 be used as follows: (a) Only a resident of the ward or district may be
22 a candidate for, or hold office as, a councilmember of the ward or
23 district; and (b) only voters of the ward or district may vote at a
24 primary to nominate candidates for a councilmember of the ward or
25 district. Voters of the entire city or town may vote at the general
26 election to elect a councilmember of a ward or district, unless the
27 city or town had prior to January 1, 1993, limited the voting in the
28 general election for any or all council positions to only voters
29 residing within the ward or district associated with the council
30 positions. If a city or town had so limited the voting in the general
31 election to only voters residing within the ward or district, then the
32 city or town shall be authorized to continue to do so.

33 (3) When a ((municipality)) city or town has qualified for an
34 increase in the number of ((councilmen)) councilmembers from five to
35 seven by virtue of the next succeeding population determination made by
36 the office of financial management ((after the majority of the voters
37 thereof have approved operation under the council manager plan)), two
38 additional council positions shall be filled at the ((first)) next
39 municipal general election ((when two additional councilmen are to be

1 ~~elect~~, ~~one of the two additional councilmen receiving~~) with the
2 person elected to one of the new council positions receiving the
3 ((highest)) greatest number of votes ((shall be)) being elected for a
4 four-year term of office and the person elected to the other additional
5 ((councilman shall be)) council position being elected for a two-year
6 term of office. The ((terms of the)) two additional ((councilmen))
7 councilmembers shall ((commence)) assume office immediately when
8 qualified in accordance with RCW 29.01.135, but the term of office
9 shall be computed from the first day of January after the year in which
10 they are elected. Their successors shall be elected to four-year terms
11 of office.

12 ~~((4) In the event such population determination as provided in~~
13 ~~subsection (3) of this section requires an increase in the number of~~
14 ~~councilmen)) Prior to the election of the two new councilmembers, the~~
15 ~~city or town council shall fill the additional ((councilmanic))~~
16 ~~positions by appointment not later than ((thirty)) forty-five days~~
17 ~~following the release of ((said)) the population determination, and~~
18 ~~((the)) each appointee shall hold office only until ((the next regular~~
19 ~~city or town election at which a person shall be elected to serve for~~
20 ~~the remainder of the unexpired term. In the event such population~~
21 ~~determination results in a decrease in the number of councilmen, said~~
22 ~~decrease shall not take effect until the next regular city or town~~
23 ~~election: PROVIDED, That)) the new position is filled by election.~~

24 (4) When a city or town has qualified for a decrease in the number
25 of councilmembers from seven to five by virtue of the next succeeding
26 population determination made by the office of financial management,
27 two council positions shall be eliminated at the next municipal general
28 election if four council positions normally would be filled at that
29 election, or one council position shall be eliminated at each of the
30 next two succeeding municipal general elections if three council
31 positions normally would be filled at the first municipal general
32 election after the population determination. The council shall by
33 ordinance indicate which, if any, of the remaining positions shall be
34 elected at-large or from wards or districts.

35 ~~(5) ((If a vacancy in the council occurs, the remaining members~~
36 ~~shall appoint a person to fill such office only until the next regular~~
37 ~~general municipal election at which a person shall be elected to serve~~
38 ~~for the remainder of the unexpired term)) Vacancies on a council shall~~
39 ~~occur and shall be filled as provided in chapter 42.12 RCW.~~

1 **Sec. 19.** RCW 35.18.270 and 1979 ex.s. c 126 s 20 are each amended
2 to read as follows:

3 If the majority of the votes cast at a special election for
4 organization on the council-manager plan favor the plan, the city or
5 town (~~at its next regular election~~) shall elect the council required
6 under the council-manager plan in number according to ~~((the))~~ its
7 population ~~((of the municipality: PROVIDED, That if the date of the~~
8 ~~next municipal general election is more than one year from the date of~~
9 ~~the election approving the council-manager plan, a special election~~
10 ~~shall be held to elect the councilmen; the newly elected councilmen~~
11 ~~shall assume office immediately when they are qualified in accordance~~
12 ~~with RCW 29.01.135 following the canvass of votes as certified and~~
13 ~~shall remain in office until their successors are elected at the next~~
14 ~~general municipal election: PROVIDED, That such successor shall hold~~
15 ~~office for staggered terms as provided in RCW 35.18.020 as now or~~
16 ~~hereafter amended. Councilmen shall take office at the time provided~~
17 ~~by general law. Declarations of candidacy for city or town elective~~
18 ~~positions under the council-manager plan for cities and towns shall be~~
19 ~~filed with the county auditor as the case may be not more than forty-~~
20 ~~five nor less than thirty days prior to said special election to elect~~
21 ~~the members of the city council. Any candidate may file a written~~
22 ~~declaration of withdrawal at any time within five days after the last~~
23 ~~day for filing a declaration of candidacy. All names of candidates to~~
24 ~~be voted upon shall be printed upon the ballot alphabetically in group~~
25 ~~under the designation of the title of the offices for which they are~~
26 ~~candidates. There shall be no rotation of names))~~ at the next
27 municipal general election. However, special elections shall be held
28 to nominate and elect the new city councilmembers at the next primary
29 and general election held in an even-numbered year if the next
30 municipal general election is more than one year after the date of the
31 election at which the voters approved the council-manager plan. The
32 staggering of terms of office shall occur at the election when the new
33 councilmembers are elected, where the simple majority of the persons
34 elected as councilmembers receiving the greatest numbers of votes shall
35 be elected to four-year terms of office if the election is held in an
36 odd-numbered year, or three-year terms of office if the election is
37 held in an even-numbered year, and the remainder of the persons elected
38 as councilmembers shall be elected to two-year terms of office if the
39 election is held in an odd-numbered year, or one-year terms of office

1 if the election is held in an even-numbered year. The initial
2 councilmembers shall take office immediately when they are elected and
3 qualified, but the lengths of their terms of office shall be calculated
4 from the first day in January in the year following the election.

5 **Sec. 20.** RCW 35.23.050 and 1965 c 7 s 35.23.050 are each amended
6 to read as follows:

7 All municipal elections held under the provisions of this chapter
8 shall be conducted according to the general election laws of this
9 state(~~(, as far as practicable: PROVIDED, That any qualified voter of~~
10 ~~such city, duly registered for the general county or state election~~
11 ~~next preceding any municipal election, general or special, shall be~~
12 ~~qualified to vote at such municipal election. No person shall be~~
13 ~~qualified to vote at such election unless he is a qualified elector of~~
14 ~~the county and has resided in such city for at least thirty days next~~
15 ~~preceding such election)).~~

16 **Sec. 21.** RCW 35.23.240 and 1965 c 7 s 35.23.240 are each amended
17 to read as follows:

18 The city council may declare an office vacant: (1) If anyone
19 either elected or appointed to that office fails for ten days to
20 qualify as required by law or fails to enter upon ~~((his))~~ the duties of
21 that office at the time fixed by law or the orders of the city council,
22 ~~((his))~~ the office shall become vacant; or (2) if such an officer
23 ~~((absents himself))~~ who serves for compensation is absent from the city
24 without the consent of the city council for three consecutive weeks or
25 openly neglects or refuses to discharge ~~((his))~~ the duties(~~(, the~~
26 ~~council may declare his office vacant: PROVIDED, That this penalty for~~
27 ~~absence from the city shall not apply to such officers as serve without~~
28 ~~compensation.~~

29 ~~If a vacancy occurs by reason of death, resignation, or otherwise~~
30 ~~in the office of mayor or councilman, the city council shall fill the~~
31 ~~vacancy until the next general municipal election))~~ of that office. In
32 addition, a vacancy in an elective office shall occur and shall be
33 filled as provided in chapter 42.12 RCW.

34 If a vacancy occurs ~~((by reason of death, resignation, or~~
35 ~~otherwise))~~ in any other office it shall be filled by appointment of
36 the mayor and confirmed by the council in the same manner as other
37 appointments are made.

1 **Sec. 22.** RCW 35.23.530 and 1965 c 7 s 35.23.530 are each amended
2 to read as follows:

3 At any time not within three months previous to an annual election
4 the city council of a second class city may divide the city into wards,
5 not exceeding six in all, or change the boundaries of existing wards.
6 No change in the boundaries of wards shall affect the term of any
7 ~~((councilman, but he))~~ councilmember, and councilmembers shall serve
8 out ~~((his))~~ their terms in the wards of ~~((his))~~ their residences at the
9 time of ~~((his election:— PROVIDED, That if this results))~~ their
10 elections. However, if these boundary changes result in one ward being
11 represented by more ((councilmen)) councilmembers than the number to
12 which it is entitled, those having the shortest unexpired terms shall
13 be assigned by the council to wards where there is a vacancy, and the
14 councilmembers so assigned shall be deemed to be residents of the wards
15 to which they are assigned for purposes of determining whether those
16 positions are vacant.

17 The representation of each ward in the city council shall be in
18 proportion to the population as nearly as is practicable.

19 ~~((No person shall be eligible to the office of councilman unless he
20 resides in the ward for which he is elected on the date of his election
21 and removal of his residence from the ward for which he was elected
22 renders his office vacant.))~~

23 Wards shall be redrawn as provided in chapter 29.70 RCW. Wards
24 shall be used as follows: (1) Only a resident of the ward may be a
25 candidate for, or hold office as, a councilmember of the ward; and (2)
26 only voters of the ward may vote at a primary to nominate candidates
27 for a councilmember of the ward. Voters of the entire city may vote at
28 the general election to elect a councilmember of a ward, unless the
29 city had prior to January 1, 1993, limited the voting in the general
30 election for any or all council positions to only voters residing
31 within the ward associated with the council positions. If a city had
32 so limited the voting in the general election to only voters residing
33 within the ward, then the city shall be authorized to continue to do
34 so. The elections for the remaining council position or council
35 positions that are not associated with a ward shall be conducted as if
36 the wards did not exist.

37 **Sec. 23.** RCW 35.24.050 and 1979 ex.s. c 126 s 22 are each amended
38 to read as follows:

1 General municipal elections in third class cities not operating
2 under the commission form of government shall be held biennially in the
3 odd-numbered years (~~as provided in RCW 29.13.020~~) and shall be
4 subject to general election law.

5 The terms of office of the mayor, city attorney, clerk, and
6 treasurer shall be four years and until their successors are elected
7 and qualified and assume office in accordance with RCW 29.04.170:
8 PROVIDED, That if the offices of city attorney, clerk, and treasurer
9 are made appointive, the city attorney, clerk, and treasurer shall not
10 be appointed for a definite term: PROVIDED FURTHER, That the term of
11 the elected treasurer shall not commence in the same biennium in which
12 the term of the mayor commences, nor in which the terms of the city
13 attorney and clerk commence if they are elected.

14 (~~A councilman at large shall be elected biennially for a two-year~~
15 ~~term and until his or her successor is elected and qualified and~~
16 ~~assumes office in accordance with RCW 29.04.170. Of the other six~~
17 ~~councilmen, three shall be elected in each biennial general municipal~~
18 ~~election for terms of four years and until their successors are elected~~
19 ~~and qualified and assume~~) Council positions shall be numbered in each
20 third class city so that council position seven has a two-year term of
21 office and council positions one through six shall each have four-year
22 terms of office. Each councilmember shall remain in office until a
23 successor is elected and qualified and assumes office in accordance
24 with RCW 29.04.170.

25 In its discretion the council of a third class city may divide the
26 city by ordinance into a convenient number of wards, not exceeding six,
27 fix the boundaries of the wards, and change the ward boundaries from
28 time to time and as provided in RCW 29.70.100. No change in the
29 boundaries of any ward shall be made within one hundred twenty days
30 next before the date of a general municipal election, nor within twenty
31 months after the wards have been established or altered. However, if
32 a boundary change results in one ward being represented by more
33 councilmembers than the number to which it is entitled, those having
34 the shortest unexpired terms shall be assigned by the council to wards
35 where there is a vacancy, and the councilmembers so assigned shall be
36 deemed to be residents of the wards to which they are assigned for
37 purposes of determining whether those positions are vacant. Whenever
38 such city is so divided into wards, the city council shall designate by
39 ordinance the number of councilmembers to be elected from each ward,

1 apportioning the same in proportion to the population of the wards.
2 Council position seven shall not be associated with a ward and the
3 person elected to that position may reside anywhere in the city and
4 voters throughout the city may vote at a primary to nominate candidates
5 for position seven, when a primary is necessary, and at a general
6 election to elect the person to council position seven. When
7 additional territory is added to the city it may by act of the council,
8 be annexed to contiguous wards without affecting the right to
9 redistrict at the expiration of twenty months after last previous
10 division. Wards shall be redrawn as provided in chapter 29.70 RCW.
11 Wards shall be used as follows: (1) Only a resident of the ward may be
12 a candidate for, or hold office as, a councilmember of the ward; and
13 (2) only voters of the ward may vote at a primary to nominate
14 candidates for a councilmember of the ward. Voters of the entire city
15 may vote at the general election to elect a councilmember of a ward,
16 unless the city had prior to January 1, 1993, limited the voting in the
17 general election for any or all council positions to only voters
18 residing within the ward associated with the council positions. If a
19 city had so limited the voting in the general election to only voters
20 residing within the ward, then the city shall be authorized to continue
21 to do so. The elections for the remaining council position or council
22 positions that are not associated with a ward shall be conducted as if
23 the wards did not exist.

24 **Sec. 24.** RCW 35.24.060 and 1965 c 7 s 35.24.060 are each amended
25 to read as follows:

26 All elections shall be held in accordance with the general election
27 laws of the state (~~insofar as the same are applicable and no person~~
28 ~~shall be entitled to vote at any election unless he shall be a~~
29 ~~qualified elector of the county and shall have resided in such city for~~
30 ~~at least thirty days next preceding such election)).~~

31 **Sec. 25.** RCW 35.24.100 and 1965 c 7 s 35.24.100 are each amended
32 to read as follows:

33 (~~In cities of~~) The council of a third class city may declare a
34 council position vacant if ((a member of the city council absents
35 himself)) that councilmember is absent for three consecutive regular
36 meetings ((thereof, unless by)) without the permission of the
37 council((, his office may be declared vacant by the council.

1 ~~Vacancies in the city council or in the office of mayor shall be~~
2 ~~filled by majority vote of the council)).~~ In addition, a vacancy in an
3 elective office shall occur and shall be filled as provided in chapter
4 42.12 RCW.

5 Vacancies in offices other than that of mayor or city
6 ((~~councilman~~)) councilmember shall be filled by appointment of the
7 mayor.

8 ((~~If a vacancy occurs in an elective office the appointee shall~~
9 ~~hold office only until the next regular election at which a person~~
10 ~~shall be elected to serve for the remainder of the unexpired term.~~))

11 If there is a temporary vacancy in an appointive office due to
12 illness, absence from the city or other temporary inability to act, the
13 mayor may appoint a temporary appointee to exercise the duties of the
14 office until the temporary disability of the incumbent is removed.

15 **Sec. 26.** RCW 35.24.290 and 1986 c 278 s 5 are each amended to read
16 as follows:

17 The city council of each third class city shall have power:

18 (1) To pass ordinances not in conflict with the Constitution and
19 laws of this state or of the United States;

20 (2) To prevent and regulate the running at large of any or all
21 domestic animals within the city limits or any part thereof and to
22 cause the impounding and sale of any such animals;

23 (3) To establish, build and repair bridges, to establish, lay out,
24 alter, keep open, open, widen, vacate, improve and repair streets,
25 sidewalks, alleys, squares and other public highways and places within
26 the city, and to drain, sprinkle and light the same; to remove all
27 obstructions therefrom; to establish and reestablish the grades
28 thereof; to grade, plank, pave, macadamize, gravel and curb the same,
29 in whole or in part; to construct gutters, culverts, sidewalks and
30 crosswalks therein or upon any part thereof; to cultivate and maintain
31 parking strips therein, and generally to manage and control all such
32 highways and places; to provide by local assessment for the leveling up
33 and surfacing and oiling or otherwise treating for the laying of dust,
34 all streets within the city limits;

35 (4) To establish, construct and maintain drains and sewers, and
36 shall have power to compel all property owners on streets and alleys or
37 within two hundred feet thereof along which sewers shall have been
38 constructed to make proper connections therewith and to use the same

1 for proper purposes, and in case the owners of the property on such
2 streets and alleys or within two hundred feet thereof fail to make such
3 connections within the time fixed by such council, it may cause such
4 connections to be made and assess against the property served thereby
5 the costs and expenses thereof;

6 (5) To provide fire engines and all other necessary or proper
7 apparatus for the prevention and extinguishment of fires;

8 (6) To impose and collect an annual license on every dog within the
9 limits of the city, to prohibit dogs running at large and to provide
10 for the killing of all dogs not duly licensed found at large;

11 (7) To license, for the purposes of regulation and revenue, all and
12 every kind of business authorized by law, and transacted and carried on
13 in such city, and all shows, exhibitions and lawful games carried on
14 therein and within one mile of the corporate limits thereof, to fix the
15 rate of license tax upon the same, and to provide for the collection of
16 the same by suit or otherwise;

17 (8) To improve rivers and streams flowing through such city, or
18 adjoining the same; to widen, straighten and deepen the channel
19 thereof, and remove obstructions therefrom; to improve the water-front
20 of the city, and to construct and maintain embankments and other works
21 to protect such city from overflow; to prevent the filling of the water
22 of any bay, except such filling over tide or shorelands as may be
23 provided for by order of the city council; to purify and prevent the
24 pollution of streams of water, lakes or other sources of supply, and
25 for this purpose shall have jurisdiction over all streams, lakes or
26 other sources of supply, both within and without the city limits. Such
27 city shall have power to provide by ordinance and to enforce such
28 punishment or penalty as the city council may deem proper for the
29 offense of polluting or in any manner obstructing or interfering with
30 the water supply of such city or source thereof;

31 (9) To erect and maintain buildings for municipal purposes;

32 (10) To permit, under such restrictions as it may deem proper, and
33 to grant franchises for, the laying of railroad tracks, and the running
34 of cars propelled by electric, steam or other power thereon, and the
35 laying of gas and water pipes and steam mains and conduits for
36 underground wires, and to permit the construction of tunnels or subways
37 in the public streets, and to construct and maintain and to permit the
38 construction and maintenance of telegraph, telephone and electric lines
39 therein;

1 ~~((In its discretion to divide the city by ordinance, into a~~
2 ~~convenient number of wards, not exceeding six, to fix the boundaries~~
3 ~~thereof, and to change the same from time to time: PROVIDED, That no~~
4 ~~change in the boundaries of any ward shall be made within sixty days~~
5 ~~next before the date of a general municipal election, nor within twenty~~
6 ~~months after the wards have been established or altered. Whenever such~~
7 ~~city is so divided into wards, the city council shall designate by~~
8 ~~ordinance the number of councilmen to be elected from each ward,~~
9 ~~apportioning the same in proportion to the population of the wards.~~
10 ~~Thereafter the councilmen so designated shall be elected by the~~
11 ~~qualified electors resident in such ward, or by general vote of the~~
12 ~~whole city as may be designated in such ordinance. When additional~~
13 ~~territory is added to the city it may by act of the council, be annexed~~
14 ~~to contiguous wards without affecting the right to redistrict at the~~
15 ~~expiration of twenty months after last previous division. The removal~~
16 ~~of a councilman from the ward for which he was elected shall create a~~
17 ~~vacancy in such office;~~

18 ~~(12))~~ To impose fines, penalties and forfeitures for any and all
19 violations of ordinances, and for any breach or violation of any
20 ordinance to fix the penalty by fine or imprisonment, or both, but no
21 such fine shall exceed five thousand dollars nor the term of such
22 imprisonment exceed the term of one year; or to provide that violations
23 of ordinances constitute a civil violation subject to monetary penalty;

24 ~~((13))~~ (12) To establish fire limits, with proper regulations;

25 ~~((14))~~ (13) To establish and maintain a free public library;

26 ~~((15))~~ (14) To establish and regulate public markets and market
27 places;

28 ~~((16))~~ (15) To punish the keepers and inmates and lessors of
29 houses of ill fame, gamblers and keepers of gambling tables, patrons
30 thereof or those found loitering about such houses and places;

31 ~~((17))~~ (16) To make all such ordinances, bylaws, rules,
32 regulations and resolutions, not inconsistent with the Constitution and
33 laws of the state of Washington, as may be deemed expedient to maintain
34 the peace, good government and welfare of the corporation and its
35 trade, commerce and manufactures, and to do and perform any and all
36 other acts and things necessary or proper to carry out the provisions
37 of this chapter, and to enact and enforce within the limits of such
38 city all other local, police, sanitary and other regulations as do not
39 conflict with general laws;

1 (~~(18)~~) (17) To license steamers, boats and vessels used in any
2 bay or other watercourse in the city and to fix and collect such
3 license; to provide for the regulation of berths, landings, and
4 stations, and for the removing of steamboats, sail boats, sail vessels,
5 rafts, barges and other watercraft; to provide for the removal of
6 obstructions to navigation and of structures dangerous to navigation or
7 to other property, in or adjoining the waterfront, except in
8 municipalities in counties in which there is a city of the first class.

9 **Sec. 27.** RCW 35.27.100 and 1965 c 7 s 35.27.100 are each amended
10 to read as follows:

11 All elections in towns shall be held in accordance with the general
12 election laws of the state(~~(, so far as the same may be applicable; and~~
13 ~~no person shall be entitled to vote at such election, unless he is a~~
14 ~~qualified elector of the county, and has resided in the town for at~~
15 ~~least thirty days next preceding the election))).~~

16 **Sec. 28.** RCW 35.27.140 and 1965 c 7 s 35.27.140 are each amended
17 to read as follows:

18 (~~(If a member of))~~ The council of a town may declare a council
19 position vacant if that councilmember is absent from the town for three
20 consecutive council meetings (~~(unless by))~~ without the permission of
21 the council (~~(his office shall be declared vacant by the council. A~~
22 ~~vacancy in the office of mayor and vacancies in the council shall be~~
23 ~~filled by a majority vote of the council))~~). In addition, a vacancy in
24 an elective office shall occur and shall be filled as provided in
25 chapter 42.12 RCW.

26 A vacancy in any other office shall be filled by appointment by the
27 mayor. (~~(An appointee filling the vacancy in an elective office shall~~
28 ~~hold office only until the next general election at which time a person~~
29 ~~shall be elected to serve for the remainder of the unexpired term~~
30 ~~except that the person appointed to fill a vacancy in the office of~~
31 ~~mayor shall serve for the unexpired term.))~~

32 **Sec. 29.** RCW 35.61.050 and 1979 ex.s. c 126 s 24 are each amended
33 to read as follows:

34 At the same election at which the proposition is submitted to the
35 voters as to whether a metropolitan park district is to be formed, five
36 park commissioners shall be elected (~~(to hold office respectively for~~

1 ~~the following terms: Where the election is held in an odd-numbered~~
2 ~~year, one commissioner shall be elected to hold office for two years,~~
3 ~~two shall be elected to hold office for four years, and two shall be~~
4 ~~elected to hold office for six years. Where the election is held in an~~
5 ~~even-numbered year, one commissioner shall hold office for three years,~~
6 ~~two shall hold office for five years, and two shall hold office for~~
7 ~~seven years)). The election of park commissioners shall be null and~~
8 ~~void if the metropolitan park district is not created. Candidates~~
9 ~~shall run for specific commission positions. No primary shall be held~~
10 ~~to nominate candidates. The person receiving the greatest number of~~
11 ~~votes for each position shall be elected as a commissioner. The~~
12 ~~staggering of the terms of office shall occur as follows: (1) The two~~
13 ~~persons who are elected receiving the two greatest numbers of votes~~
14 ~~shall be elected to six-year terms of office if the election is held in~~
15 ~~an odd-numbered year or five-year terms of office if the election is~~
16 ~~held in an even-numbered year; (2) the two persons who are elected~~
17 ~~receiving the next two greatest numbers of votes shall be elected to~~
18 ~~four-year terms of office if the election is held in an odd-numbered~~
19 ~~year or three-year terms of office if the election is held in an even-~~
20 ~~numbered year; and (3) the other person who is elected shall be elected~~
21 ~~to a two-year term of office if the election is held in an odd-numbered~~
22 ~~year or a one-year term of office if the election is held in an even-~~
23 ~~numbered year. The initial commissioners shall take office immediately~~
24 ~~when they are elected and qualified, and for purposes of computing~~
25 ~~their terms of office the terms shall be assumed to commence on the~~
26 ~~first day of January ((of)) in the year after they are elected. ((The~~
27 ~~term of each nominee for park commissioner shall be expressed on the~~
28 ~~ballot.)) Thereafter, all commissioners shall ~~((serve))~~ be elected to
29 ~~six-year terms of office ((and)).~~ All commissioners shall serve until
30 ~~their respective successors are elected and qualified and assume office~~
31 ~~in accordance with RCW 29.04.170. Vacancies shall occur and shall be~~
32 ~~filled ((by majority action of the remaining commissioners appointing~~
33 ~~a voter to fill the remainder of the term of the vacant commissioner~~
34 ~~position)) as provided in chapter 42.12 RCW.~~~~

35 **Sec. 30.** RCW 35A.01.070 and 1979 ex.s. c 18 s 1 are each amended
36 to read as follows:

37 Where used in this title with reference to procedures established
38 by this title in regard to a change of plan or classification of

1 government, unless a different meaning is plainly required by the
2 context:

3 (1) "Classify" means a change from a city of the first, second, or
4 third class, or a town, to a code city.

5 (2) "Classification" means either that portion of the general law
6 under which a city or a town operates under Title 35 RCW as a first,
7 second, or third class city, unclassified city, or town, or otherwise
8 as a code city.

9 (3) "Organize" means to provide for officers after becoming a code
10 city, under the same general plan of government under which the city
11 operated prior to becoming a code city, pursuant to RCW 35A.02.055.

12 (4) "Organization" means the general plan of government under which
13 a city operates.

14 (5) "Plan of government" means (~~either the~~) a mayor-council form
15 of government under chapter 35A.12 RCW, council-manager form of
16 government under chapter 35A.13 RCW, or a mayor-council, council-
17 manager, or commission form of government in general that is retained
18 by a noncharter code city as provided in RCW 35A.02.130, without regard
19 to variations in the number of elective offices or whether officers are
20 elective or appointive.

21 (6) "Reclassify" means changing from a code city to the
22 classification, if any, held by such a city immediately prior to
23 becoming a code city.

24 (7) "Reclassification" means changing from city or town operating
25 under Title 35 RCW to a city operating under Title 35A RCW, or vice
26 versa; a change in classification.

27 (8) "Reorganize" means changing the plan of government under which
28 a city or town operates to a different general plan of government, for
29 which an election of new officers under RCW 35A.02.050 is required. A
30 city or town shall not be deemed to have reorganized simply by
31 increasing or decreasing the number of members of its legislative body.

32 (9) "Reorganization" means a change in general plan of government
33 where an election of all new officers is required in order to
34 accomplish this change, but an increase or decrease in the number of
35 members of its legislative body shall not be deemed to constitute a
36 reorganization.

37 **Sec. 31.** RCW 35A.02.050 and 1979 ex.s. c 18 s 7 are each amended
38 to read as follows:

1 The first election of officers where required for reorganization
2 under a different general plan of government newly adopted in a manner
3 provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or 35A.06.060, as
4 now or hereafter amended, shall be at the next general municipal
5 election if one is to be held more than ninety days but not more than
6 one hundred and eighty days after certification of a reorganization
7 ordinance or resolution, or otherwise at a special election to be held
8 for that purpose in accordance with RCW 29.13.020. In the event that
9 the first election of officers (~~(as herein provided)~~) is to be held at
10 a general municipal election, such election shall be preceded by a
11 primary election pursuant to RCW 29.21.010 and 29.13.070. In the event
12 that the first election of all officers (~~(as herein provided)~~) is to be
13 held at a special election rather than at a general election, and
14 notwithstanding any provisions of any other law to the contrary, such
15 special election shall be preceded by a primary election to be held on
16 a date authorized by RCW 29.13.010, and the persons nominated at that
17 primary election shall be voted upon at the next succeeding special
18 election that is authorized by RCW 29.13.010: PROVIDED, That in the
19 event the ordinances calling for reclassification or reclassification
20 and reorganization under the provisions of Title 35A RCW have been
21 filed with the secretary of state pursuant to RCW 35A.02.040 in an
22 even-numbered year at least ninety days prior to a state general
23 election then the election of new officers shall be concurrent with the
24 state primary and general election and shall be conducted as set forth
25 in (~~chapter 35A.29 RCW~~) general election law.

26 Upon reorganization, candidates for all offices shall file or be
27 nominated for and successful candidates shall be elected to specific
28 council positions(~~(, and an)~~). The initial terms (~~(or)~~) of office for
29 those elected at a first election of all officers (~~(to positions one~~
30 ~~and two for a five member council, or positions one through three for~~
31 ~~a seven member council, shall if the election occurs at a general~~
32 ~~municipal election be only until the second Monday in January first~~
33 ~~following the next general municipal election two years hence and if~~
34 ~~the election occurs at a special election, the duration of these~~
35 ~~initial terms shall be until the second Monday in January in the first~~
36 ~~even numbered year that follows the next general municipal election.~~
37 ~~The duration of the initial term attaching to the remaining~~
38 ~~councilmanic positions shall be until the second Monday in January two~~
39 ~~years next thereafter, so that staggered regular four year terms will~~

1 ultimately result. ~~Any declarations of candidacy for any primary or~~
2 ~~other election held pursuant to this section shall be filed as provided~~
3 ~~in RCW 35A.29.110 as now or hereafter amended)) shall be as follows:~~
4 (1) A simple majority of the persons who are elected as councilmembers
5 receiving the greatest numbers of votes and the mayor in a city with a
6 mayor-council plan of government shall be elected to four-year terms of
7 office, if the election is held in an odd-numbered year, or three-year
8 terms of office, if the election is held in an even-numbered year; and
9 (2) the other persons who are elected as councilmembers shall be
10 elected to two-year terms of office, if the election is held in an odd-
11 numbered year, or one-year terms of office, if the election is held in
12 an even-numbered year. The newly elected officials shall take office
13 immediately when they are elected and qualified, but the length of
14 their terms of office shall be calculated from the first day of January
15 in the year following the election. Thereafter, each person elected as
16 a councilmember or mayor in a city with a mayor-council plan of
17 government shall be elected to a four-year term of office. Each
18 councilmember and mayor in a city with a mayor-council plan of
19 government shall serve until a successor is elected and qualified and
20 assumes office as provided in RCW 29.04.170.

21 The former officers shall, upon the election and qualification of
22 new officers, deliver to the proper officers of the reorganized
23 noncharter code city all books of record, documents and papers in their
24 possession belonging to such municipal corporation before the
25 reorganization thereof. ~~((Officers elected at the first election of~~
26 ~~officers held pursuant to this amendatory act shall assume office as~~
27 ~~soon as the election returns have been certified.))~~

28 **Sec. 32.** RCW 35A.02.130 and 1967 ex.s. c 119 s 35A.02.130 are each
29 amended to read as follows:

30 Any incorporated city or town governed under a plan of government
31 authorized prior to the time this title takes effect may become a
32 noncharter code city without changing such plan of government by the
33 use of the petition-for-election or resolution-for-election procedures
34 provided in RCW 35A.02.060 and 35A.02.070 to submit to the voters a
35 proposal that such municipality adopt the classification of noncharter
36 code city while retaining its existing plan of government, and upon a
37 favorable vote on the proposal, such municipality shall be classified
38 as a noncharter code city and retain its old plan of government, such

1 reclassification to be effective upon the filing of the record of such
2 election with the office of the secretary of state. Insofar as the
3 provisions of RCW 35A.02.100 and 35A.02.110 are applicable to an
4 election on such a reclassification proposal they shall apply to such
5 election.

6 **Sec. 33.** RCW 35A.06.020 and 1967 ex.s. c 119 s 35A.06.020 are each
7 amended to read as follows:

8 The classifications of municipalities which existed prior to the
9 time this title goes into effect--first class city, second class city,
10 third class (~~and fourth class~~) city, town, and unclassified city--and
11 the restrictions, limitations, duties, and obligations specifically
12 imposed by law upon such classes of cities and towns, shall have no
13 application to noncharter code cities, but every noncharter code city,
14 by adopting such classification, has elected to be governed by the
15 provisions of this title, with the powers granted hereby. However, any
16 code city that retains its old plan of government is subject to the
17 laws applicable to that old plan of government until the city changes
18 its plan of government to the provisions of either chapter 35A.12 or
19 35A.13 RCW.

20 **Sec. 34.** RCW 35A.06.030 and 1979 ex.s. c 18 s 14 are each amended
21 to read as follows:

22 By use of the resolution for election or petition for election
23 methods described in RCW 35A.06.040, any noncharter code city which has
24 operated for more than six consecutive years under one of the optional
25 plans of government authorized by this title, or for more than a
26 combined total of six consecutive years under a particular plan of
27 government both as a code city and under the same general plan under
28 Title 35 RCW immediately prior to becoming a code city, may abandon
29 such organization and may reorganize and adopt another plan of
30 government authorized for noncharter code cities, but only after having
31 been a noncharter code city for more than one year or a city after
32 operating for more than six consecutive years under a particular plan
33 of government as a noncharter code city (~~or may reclassify and adopt~~
34 ~~a plan of government authorized by the general law for municipalities~~
35 ~~of the highest class for which the population of such city qualifies~~
36 ~~it, or authorized for the class to which such city belonged immediately~~

1 ~~prior to becoming a noncharter code city, if any))~~: PROVIDED, That
2 these limitations shall not apply to a city seeking to adopt a charter.

3 In reorganization under a different general plan of government as
4 a noncharter code city, officers shall all be elected as provided in
5 RCW 35A.02.050. When a noncharter code city adopts a plan of
6 government other than those authorized under Title 35A RCW, such city
7 ceases to be governed under this optional municipal code and shall be
8 classified as a city or town of the class selected in the proceeding
9 for adoption of such new plan, with the powers granted to such class
10 under the general law.

11 **Sec. 35.** RCW 35A.06.050 and 1979 ex.s. c 18 s 15 are each amended
12 to read as follows:

13 The proposal for abandonment of a plan of government as authorized
14 in RCW 35A.06.030 and for adoption of the plan named in the resolution
15 or petition shall be voted upon at the next general municipal election
16 if one is to be held within one hundred and eighty days or otherwise at
17 a special election called for that purpose in accordance with RCW
18 29.13.020. The ballot title and statement of the proposition shall be
19 prepared by the city attorney as provided in RCW 29.27.060 and
20 35A.29.120(~~(, as now or hereafter amended. If the plan proposed in the~~
21 ~~petition is not a plan authorized for noncharter code cities by this~~
22 ~~title, the ballot statement shall clearly set forth that adoption of~~
23 ~~such plan by the voters would require abandonment of the classification~~
24 ~~of noncharter code city and that government would be under the general~~
25 ~~law relating to cities of the class specified in the resolution or~~
26 ~~petition. If the plan proposed in the petition is a plan authorized~~
27 ~~for noncharter code cities the ballot statement shall clearly set forth~~
28 ~~that adoption of such plan by the voters would not affect the~~
29 ~~eligibility of the noncharter code city to be governed under this~~
30 ~~optional municipal code)).~~

31 **Sec. 36.** RCW 35A.12.010 and 1985 c 106 s 1 are each amended to
32 read as follows:

33 The government of any noncharter code city or charter code city
34 electing to adopt the mayor-council plan of government authorized by
35 this chapter shall be vested in an elected mayor and an elected
36 council. The council of a noncharter code city having less than
37 twenty-five hundred inhabitants shall consist of five members; when

1 there are twenty-five hundred or more inhabitants, the council shall
2 consist of seven members: PROVIDED, That if the population of a city
3 after having become a code city decreases from twenty-five hundred or
4 more to less than twenty-five hundred, it shall continue to have a
5 seven member council. If, after a city has become a mayor-council code
6 city, its population increases to twenty-five hundred or more
7 inhabitants, the number of councilmanic offices in such city may
8 increase from five to seven members upon the affirmative vote of a
9 majority of the existing council to increase the number of councilmanic
10 offices in the city. When the population of a mayor-council code city
11 having five councilmanic offices increases to five thousand or more
12 inhabitants, the number of councilmanic offices in the city shall
13 increase from five to seven members. In the event of an increase in
14 the number of councilmanic offices, the city council shall, by majority
15 vote, pursuant to RCW 35A.12.050, appoint two persons to serve in these
16 offices until the next municipal general election, at which election
17 one person shall be elected for a two-year term and one person shall be
18 elected for a four-year term. The number of inhabitants shall be
19 determined by the most recent official state or federal census or
20 determination by the state office of financial management. A charter
21 adopted under the provisions of this title, incorporating the mayor-
22 council plan of government set forth in this chapter, may provide for
23 an uneven number of (~~councilmen~~) councilmembers not exceeding eleven.

24 A noncharter code city of less than five thousand inhabitants which
25 has elected the mayor-council plan of government and which has seven
26 councilmanic offices may establish a five-member council in accordance
27 with the following procedure. At least six months prior to a municipal
28 general election, the city council shall adopt an ordinance providing
29 for reduction in the number of councilmanic offices to five. The
30 ordinance shall specify which two councilmanic offices, the terms of
31 which expire at the next general election, are to be terminated. The
32 ordinance shall provide for the renumbering of council positions and
33 shall also provide for a two-year extension of the term of office of a
34 retained councilmanic office, if necessary, in order to comply with RCW
35 35A.12.040.

36 However, a noncharter code city that has retained its old mayor-
37 council plan of government, as provided in RCW 35A.02.130, is subject
38 to the laws applicable to that old plan of government.

1 **Sec. 37.** RCW 35A.12.040 and 1979 ex.s. c 18 s 21 are each amended
2 to read as follows:

3 Officers shall be elected at biennial municipal elections to be
4 conducted as provided in chapter 35A.29 RCW. The mayor and the
5 ~~((councilmen))~~ councilmembers shall be elected for four-year terms of
6 office and until their successors are elected and qualified(~~(; except~~
7 ~~that at any first election three councilmen in cities having seven~~
8 ~~councilmen, and two councilmen in cities having five councilmen, shall~~
9 ~~be elected for two year terms and the remaining councilmen shall be~~
10 ~~elected for four year terms)) and assume office in accordance with RCW
11 29.04.170. At any first election upon reorganization, councilmembers
12 shall be elected as provided in RCW 35A.02.050. Thereafter the
13 requisite number of ~~((councilmen))~~ councilmembers shall be elected
14 biennially as the terms of their predecessors expire and shall serve
15 for terms of four years. The positions to be filled on the city
16 council shall be designated by consecutive numbers and shall be dealt
17 with as separate offices for all election purposes(~~(, as provided in~~
18 ~~RCW 35A.29.105. In any city which holds its first election under this~~
19 ~~title in the calendar year 1970, candidates elected for two year terms~~
20 ~~shall hold office until their successors are elected and qualified at~~
21 ~~the general municipal election to be held in November, 1973 and~~
22 ~~candidates elected for four year terms shall hold office until their~~
23 ~~successors are elected and qualified at the general municipal election~~
24 ~~to be held in November, 1975)). Election to positions on the council~~
25 ~~shall be by majority vote from the city at large, unless provision is~~
26 ~~made by charter or ordinance for election by wards. ((The city council~~
27 ~~shall be the judge of the qualifications of its members and determine~~
28 ~~contested elections of city officers, subject to review by certiorari~~
29 ~~as provided by law.)) The mayor and ~~((councilmen))~~ councilmembers
30 shall qualify by taking an oath or affirmation of office and as may be
31 provided by law, charter, or ordinance.~~~~

32 **Sec. 38.** RCW 35A.12.050 and 1967 ex.s. c 119 s 35A.12.050 are each
33 amended to read as follows:

34 The office of a mayor or ~~((councilman))~~ councilmember shall become
35 vacant if ~~((he))~~ the person who is elected or appointed to that
36 position fails to qualify as provided by law ~~((or))~~, fails to enter
37 upon ~~((his))~~ the duties of that office at the time fixed by law without
38 a justifiable reason, ~~((upon his death, resignation, removal from~~

1 office by recall as provided by law, or when his office is forfeited))
2 or as provided in RCW 35A.12.060 or 42.12.010. A vacancy in the office
3 of mayor or in the council shall be filled ((for the remainder of the
4 unexpired term, if any, at the next regular municipal election but the
5 council, or the remaining members thereof, by majority vote shall
6 appoint a qualified person to fill the vacancy until the person elected
7 to serve the remainder of the unexpired term takes office. If at any
8 time the membership of the council is reduced below the number required
9 for a quorum, the remaining members, nevertheless, by majority action
10 may appoint additional members to fill the vacancies until persons are
11 elected to serve the remainder of the unexpired terms. If, after
12 thirty days have passed since the occurrence of a vacancy, the council
13 are unable to agree upon a person to be appointed to fill a vacancy in
14 the council, the mayor may make the appointment from among the persons
15 nominated by members of the council)) as provided in chapter 42.12 RCW.

16 **Sec. 39.** RCW 35A.12.060 and 1967 ex.s. c 119 s 35A.12.060 are each
17 amended to read as follows:

18 ((A mayor or councilman shall forfeit his office, creating a
19 vacancy, if he ceases to have the qualifications prescribed for such
20 office by law, charter, or ordinance, or if he is convicted of a crime
21 involving moral turpitude or an offense involving a violation of his
22 oath of office. A councilman also shall forfeit his office if he)) In
23 addition a council position shall become vacant if the councilmember
24 fails to attend three consecutive regular meetings of the council
25 without being excused by the council.

26 **Sec. 40.** RCW 35A.12.180 and 1967 ex.s. c 119 s 35A.12.180 are each
27 amended to read as follows:

28 (1) At any time not within three months previous to a municipal
29 general election the council of a noncharter code city organized under
30 this chapter may divide the city into wards or change the boundaries of
31 existing wards. No change in the boundaries of wards shall affect the
32 term of any ((councilman, but he)) councilmember, and councilmembers
33 shall serve out ((his)) their terms in the wards of ((his)) their
34 residences at the time of ((his)) their elections: PROVIDED, That if
35 this results in one ward being represented by more ((councilmen))
36 councilmembers than the number to which it is entitled those having the
37 shortest unexpired terms shall be assigned by the council to wards

1 where there is a vacancy, and the councilmembers so assigned shall be
2 deemed to be residents of the wards to which they are assigned for
3 purposes of those positions being vacant. The representation of each
4 ward in the city council shall be in proportion to the population as
5 nearly as is practicable. ((When the city has been divided into wards
6 no person shall be eligible to the office of councilman unless he
7 resides in the ward for which he is elected on the date of his
8 election, and removal of his residence from the ward for which he was
9 elected renders his office vacant.))

10 Wards shall be redrawn as provided in chapter 29.70 RCW. Wards
11 shall be used as follows: (a) Only a resident of the ward may be a
12 candidate for, or hold office as, a councilmember of the ward; and (b)
13 only voters of the ward may vote at a primary to nominate candidates
14 for a councilmember of the ward. Voters of the entire city may vote at
15 the general election to elect a councilmember of a ward, unless the
16 city had prior to January 1, 1993, limited the voting in the general
17 election for any or all council positions to only voters residing
18 within the ward associated with the council positions. If a city had
19 so limited the voting in the general election to only voters residing
20 within the ward, then the city shall be authorized to continue to do
21 so.

22 (2) If on the effective date of this section or thereafter, a ward
23 represented by more than one councilmember does not have at least one
24 councilmember elected to office at each municipal election, then the
25 council may change the terms of or renumber councilmember positions to
26 be filled at the next general election if necessary, so that at least
27 one councilmember within the ward is elected to office at each
28 municipal general election, and the city complies with RCW 35A.12.040.
29 The council shall determine by lot which councilmember positions shall
30 be renumbered or terms changed prior to the date for filing
31 declarations of candidacy for election to councilmember positions.

32 **Sec. 41.** RCW 35A.13.010 and 1987 c 3 s 16 are each amended to read
33 as follows:

34 The ((councilmen)) councilmembers shall be the only elective
35 officers of a code city electing to adopt the council-manager plan of
36 government authorized by this chapter, except where statutes provide
37 for an elective municipal judge. The council shall appoint an officer
38 whose title shall be "city manager" who shall be the chief executive

1 officer and head of the administrative branch of the city government.
2 The city manager shall be responsible to the council for the proper
3 administration of all affairs of the code city. The council of a
4 noncharter code city having less than twenty-five hundred inhabitants
5 shall consist of five members; when there are twenty-five hundred or
6 more inhabitants the council shall consist of seven members: PROVIDED,
7 That if the population of a city after having become a code city
8 decreases from twenty-five hundred or more to less than twenty-five
9 hundred, it shall continue to have a seven member council. If, after
10 a city has become a council-manager code city its population increases
11 to twenty-five hundred or more inhabitants, the number of councilmanic
12 offices in such city may increase from five to seven members upon the
13 affirmative vote of a majority of the existing council to increase the
14 number of councilmanic offices in the city. When the population of a
15 council-manager code city having five councilmanic offices increases to
16 five thousand or more inhabitants, the number of councilmanic offices
17 in the city shall increase from five to seven members. In the event of
18 an increase in the number of councilmanic offices, the city council
19 shall, by majority vote, pursuant to RCW 35A.13.020, appoint two
20 persons to serve in these offices until the next municipal general
21 election, at which election one person shall be elected for a two-year
22 term and one person shall be elected for a four-year term. The number
23 of inhabitants shall be determined by the most recent official state or
24 federal census or determination by the state office of financial
25 management. A charter adopted under the provisions of this title,
26 incorporating the council-manager plan of government set forth in this
27 chapter may provide for an uneven number of ((~~councilmen~~))
28 councilmembers not exceeding eleven.

29 A noncharter code city of less than five thousand inhabitants which
30 has elected the council-manager plan of government and which has seven
31 councilmanic offices may establish a five-member council in accordance
32 with the following procedure. At least six months prior to a municipal
33 general election, the city council shall adopt an ordinance providing
34 for reduction in the number of councilmanic offices to five. The
35 ordinance shall specify which two councilmanic offices, the terms of
36 which expire at the next general election, are to be terminated. The
37 ordinance shall provide for the renumbering of council positions and
38 shall also provide for a two-year extension of the term of office of a

1 retained councilmanic office, if necessary, in order to comply with RCW
2 35A.12.040.

3 However, a noncharter code city that has retained its old council-
4 manager plan of government, as provided in RCW 35A.02.130, is subject
5 to the laws applicable to that old plan of government.

6 **Sec. 42.** RCW 35A.13.020 and 1975 1st ex.s. c 155 s 1 are each
7 amended to read as follows:

8 In council-manager code cities, eligibility for election to the
9 council, the manner of electing councilmen, the numbering of council
10 positions, the terms of councilmen, the occurrence and the filling of
11 vacancies, the grounds for forfeiture of office, and appointment of a
12 mayor pro tempore or deputy mayor or councilman pro tempore shall be
13 governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040,
14 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a
15 code city organized under the mayor-council plan(~~(:—PROVIDED, That))~~),
16 except that in council-manager cities where all council positions are
17 at-large positions, the city council may, pursuant to RCW 35A.13.033,
18 provide that the person elected to council position one ((~~on or after~~
19 September 8, 1975,)) shall be the council chairman and shall carry out
20 the duties prescribed by RCW 35A.13.030((~~, as now or hereafter~~
21 amended)).

22 **Sec. 43.** RCW 35A.14.060 and 1967 ex.s. c 119 s 35A.14.060 are each
23 amended to read as follows:

24 An annexation election shall be held in accordance with ((~~chapter~~
25 ~~35A.29 RCW of this title~~)) general election law and only registered
26 voters who have resided in the area proposed to be annexed for ninety
27 days immediately preceding the election shall be allowed to vote
28 therein.

29 **Sec. 44.** RCW 35A.14.070 and 1979 ex.s. c 124 s 4 are each amended
30 to read as follows:

31 Notice of an annexation election shall particularly describe the
32 boundaries of the area proposed to be annexed, as the same may have
33 been modified by the boundary review board or the county annexation
34 review board, state the objects of the election as prayed in the
35 petition or as stated in the resolution, and require the voters to cast
36 ballots which shall contain the words "For Annexation" or "Against

1 Annexation" or words equivalent thereto, or contain the words "For
2 Annexation and Adoption of Proposed Zoning Regulation", and "Against
3 Annexation and Adoption of Proposed Zoning Regulation", or words
4 equivalent thereto in case the simultaneous adoption of a proposed
5 zoning regulation is proposed, and in case the assumption of all or a
6 portion of indebtedness is proposed, shall contain an appropriate,
7 separate proposition for or against the portion of indebtedness that
8 the city requires to be assumed. The notice shall be posted for at
9 least two weeks prior to the date of election in four public places
10 within the area proposed to be annexed and published at least once a
11 week for two weeks prior to the date of election in a newspaper of
12 general circulation within the limits of the territory proposed to be
13 annexed. Such notice shall be in addition to the notice required by
14 (~~RCW 35A.29.140~~) general election law.

15 **Sec. 45.** RCW 35A.15.040 and 1967 ex.s. c 119 s 35A.15.040 are each
16 amended to read as follows:

17 (~~The election shall be conducted and the returns canvassed as
18 provided in chapter 35A.29 RCW.~~) Ballot titles shall be prepared by
19 the city as provided in RCW 35A.29.120 and shall contain the words "For
20 Dissolution" and "Against Dissolution", and shall contain on separate
21 lines, alphabetically, the names of candidates for receiver. If a
22 majority of the votes cast on the proposition are for dissolution, the
23 municipal corporation shall be dissolved upon certification of the
24 election results to the office of the secretary of state.

25 **Sec. 46.** RCW 35A.16.030 and 1967 ex.s. c 119 s 35A.16.030 are each
26 amended to read as follows:

27 (~~The election returns shall be canvassed as provided in RCW
28 35A.29.070 and~~) If three-fifths of the votes cast on the proposition
29 favor the reduction of the corporate limits, the (~~legislative body, by
30 an order entered on its minutes, shall direct the clerk to~~) county
31 auditor shall make and transmit to the office of the secretary of state
32 a certified abstract of the vote.

33 NEW SECTION. **Sec. 47.** A new section is added to chapter 35A.29
34 RCW to read as follows:

35 Elections for code cities shall comply with general election law.

1 **Sec. 48.** RCW 36.69.020 and 1969 c 26 s 2 are each amended to read
2 as follows:

3 The formation of a park and recreation district shall be initiated
4 by a petition designating the boundaries thereof by metes and bounds,
5 or by describing the land to be included therein by townships, ranges
6 and legal subdivisions. Such petition shall set forth the object of
7 the district and state that it will be conducive to the public welfare
8 and convenience, and that it will be a benefit to the area therein.
9 Such petition shall be signed by not less than fifteen percent of the
10 registered voters residing within the area so described. ~~((No person
11 signing the petition may withdraw his name therefrom after filing.))~~
12 The name of a person who has signed the petition may not be withdrawn
13 from the petition after the petition has been filed.

14 The petition shall be filed with the auditor of the county within
15 which the proposed district is located, accompanied by an obligation
16 signed by two or more petitioners, agreeing to pay the cost of the
17 publication of the notice provided for in RCW 36.69.040. The county
18 auditor shall, within thirty days from the date of filing the petition,
19 examine the signatures and certify to the sufficiency or insufficiency
20 thereof ~~((; and for that purpose shall have access to all registration
21 books or records in the possession of the registration officers of the
22 election precincts included, in whole or in part, within the proposed
23 district. Such books and records shall be prima facie evidence of the
24 truth of the certificate))~~.

25 If the petition is found to contain a sufficient number of
26 signatures of qualified persons, the auditor shall transmit it,
27 together with ~~((his))~~ a certificate of sufficiency attached thereto, to
28 the county ~~((commissioners who))~~ legislative authority, which shall by
29 resolution entered upon ~~((their))~~ its minutes ~~((;))~~
30 a day and hour when ~~((they))~~ the legislative authority will publicly
31 hear the petition, as provided in RCW 36.69.040.

32 **Sec. 49.** RCW 36.69.070 and 1979 ex.s. c 126 s 28 are each amended
33 to read as follows:

34 ~~((All elections pursuant to this chapter shall be conducted in
35 accordance with the provisions of chapter 29.13 RCW for district
36 elections.))~~ A ballot proposition authorizing the formation of the
37 proposed park and recreation district shall be submitted to the voters
38 of the proposed district for their approval or rejection at the next

1 general state election occurring sixty or more days after the county
2 legislative authority fixes the boundaries of the proposed district.
3 Notices of the election for the formation of the park and recreation
4 district shall state generally and briefly the purpose thereof and
5 shall give the boundaries of the proposed district(~~(, define the~~
6 ~~election precincts, designate the polling place of each, give the names~~
7 ~~of the five nominated park and recreation commissioner candidates of~~
8 ~~the proposed district,)~~) and name the day of the election and the hours
9 during which the polls will be open. The proposition to be submitted
10 to the voters shall be stated in such manner that the voters may
11 indicate yes or no upon the proposition of forming the proposed park
12 and recreation district. (~~The ballot shall be so arranged that voters~~
13 ~~may vote for the five nominated candidates or may write in the names of~~
14 ~~other candidates.))~~

15 The initial park and recreation commissioners shall be elected at
16 the same election, but this election shall be null and void if the
17 district is not authorized to be formed. No primary shall be held to
18 nominate candidates for the initial commissioner positions. Candidates
19 shall run for specific commission positions. A special filing period
20 shall be opened as provided in RCW 29.15.170 and 29.15.180. The person
21 who receives the greatest number of votes for each commission position
22 shall be elected to that position. The three persons who are elected
23 receiving the greatest number of votes shall be elected to four-year
24 terms of office if the election is held in an odd-numbered year or
25 three-year terms of office if the election is held in an even-numbered
26 year. The other two persons who are elected shall be elected to two-
27 year terms of office if the election is held in an odd-numbered year or
28 one-year terms of office if the election is held in an even-numbered
29 year. The initial commissioners shall take office immediately upon
30 being elected and qualified, but the length of such terms shall be
31 computed from the first day of January in the year following this
32 election.

33 **Sec. 50.** RCW 36.69.080 and 1979 ex.s. c 126 s 29 are each amended
34 to read as follows:

35 If a majority of all votes cast upon the proposition favors the
36 formation of the district, (~~{the}~~) the county legislative authority
37 shall(~~{,}~~), by resolution, declare the territory organized as a park
38 and recreation district under the designated name (~~theretofore~~

1 ~~designated, and shall declare the candidate from each subdivision~~
2 ~~receiving the highest number of votes for park and recreation~~
3 ~~commissioner the duly elected first park and recreation commissioner of~~
4 ~~the subdivision of the district. These initial park and recreation~~
5 ~~commissioners shall take office immediately upon their election and~~
6 ~~qualification and hold office until their successors are elected and~~
7 ~~qualified and assume office as provided in RCW 36.69.090 as now or~~
8 ~~hereafter amended)).~~

9 **Sec. 51.** RCW 36.69.090 and 1987 c 53 s 1 are each amended to read
10 as follows:

11 A park and recreation district shall be governed by a board of five
12 commissioners. Except for the initial commissioners, all commissioners
13 shall be elected to staggered four-year terms of office and shall serve
14 until their successors are elected and qualified and assume office in
15 accordance with RCW 29.04.170. Candidates shall run for specific
16 commissioner positions.

17 Elections for park and recreation district commissioners shall be
18 held biennially in conjunction with the general election in each odd-
19 numbered year. ~~((Residence anywhere within the district shall qualify~~
20 ~~an elector for any position on the commission after the initial~~
21 ~~election.))~~ Elections shall be held in accordance with the provisions
22 of Title 29 RCW dealing with general elections. ~~((All commissioners~~
23 ~~shall serve until their successors are elected and qualified and assume~~
24 ~~office in accordance with RCW 29.04.170. At the first election~~
25 ~~following the formation of the district, the two candidates receiving~~
26 ~~the highest number of votes shall serve for terms of four years, and~~
27 ~~the three candidates receiving the next highest number of votes shall~~
28 ~~serve for two years. Thereafter all commissioners shall be elected for~~
29 ~~four year terms: PROVIDED, That if there would otherwise be two~~
30 ~~commissioners elected at the November 1987 general election, the~~
31 ~~candidate receiving the highest number of votes shall serve a four year~~
32 ~~term, and the commissioner receiving the second highest number of votes~~
33 ~~shall serve a two year term.))~~

34 **Sec. 52.** RCW 36.69.100 and 1963 c 4 s 36.69.100 are each amended
35 to read as follows:

1 Vacancies on the board of park and recreation commissioners shall
2 occur and shall be filled (~~((by a majority vote of the remaining~~
3 ~~commissioners))~~ as provided in chapter 42.12 RCW.

4 **Sec. 53.** RCW 36.69.440 and 1979 ex.s. c 11 s 3 are each amended to
5 read as follows:

6 (1) If the petition filed under RCW 36.69.430 is found to contain
7 a sufficient number of signatures, the legislative authority of each
8 county shall set a time for a hearing on the petition for the formation
9 of a park and recreation district as prescribed in RCW 36.69.040.

10 (2) At the public hearing the legislative authority (~~((for each~~
11 ~~authority))~~) for each county shall fix the boundaries for that portion
12 of the proposed park and recreation district that lies within the
13 county as provided in RCW 36.69.050. Each county shall notify the
14 other county or counties of the determination of the boundaries within
15 ten days.

16 (3) If the territories created by the county legislative
17 authorities are not contiguous, a joint park and recreation district
18 shall not be formed. If the territories are contiguous, the county
19 containing the portion of the proposed joint district having the larger
20 population shall determine the name of the proposed joint district.

21 (4) (~~((If the proposed district encompasses portions of two~~
22 ~~counties, the county containing the portion of the district having the~~
23 ~~larger population shall divide the territory into three subdivisions~~
24 ~~and shall name three resident electors as prescribed by RCW 36.69.060.~~
25 ~~The county containing the territory having the smaller population shall~~
26 ~~divide that territory into two subdivisions and name two resident~~
27 ~~electors.~~

28 (5) ~~If the proposed district encompasses portions of more than two~~
29 ~~counties, the district shall be divided into five subdivisions and~~
30 ~~resident electors shall be named as follows:~~

31 ~~The number of subdivisions and resident electors to be established~~
32 ~~by each county shall reflect the proportion of population within each~~
33 ~~county portion of the proposed district in relation to the total~~
34 ~~population of the proposed district, provided that each county shall~~
35 ~~designate one subdivision and one resident elector.~~

36 (6)) The proposition for the formation of the proposed joint park
37 and recreation district shall be submitted to the voters of the

1 district at the next general election, which election shall be
2 conducted as required by RCW 36.69.070 and 36.69.080.

3 **Sec. 54.** RCW 36.105.010 and 1991 c 363 s 99 are each amended to
4 read as follows:

5 Voters of the unincorporated areas of the state are authorized to
6 establish community councils as provided in this chapter.

7 It is the purpose of this chapter to provide voters of
8 unincorporated areas in counties with a population of over thirty
9 thousand that are made up entirely of islands and in counties with a
10 population of over one million with direct input on the planning and
11 zoning of their community by establishing a governmental mechanism to
12 adopt proposed community comprehensive plans and proposed community
13 zoning ordinances that are consistent with an overall guide and
14 framework adopted by the county legislative authority. In addition, it
15 is the purpose of this chapter to have community councils serve as
16 forums for the discussion of local issues.

17 **Sec. 55.** RCW 36.105.020 and 1991 c 363 s 100 are each amended to
18 read as follows:

19 Unless the context clearly requires otherwise, the definitions in
20 this section apply throughout this chapter.

21 (1) "Community" means a portion of the unincorporated area for
22 which a community council has been established and which is located in
23 a county with a population of over thirty thousand that is made up
24 entirely of islands and in counties with a population of over one
25 million.

26 (2) "Community comprehensive plan" means a comprehensive plan
27 adopted by a community council.

28 (3) "Community council" means the governing body established under
29 this chapter to adopt community comprehensive plans and community
30 zoning ordinances for a community.

31 (4) "Community zoning ordinances" means the zoning ordinances
32 adopted by a community council to implement a community comprehensive
33 plan.

34 **Sec. 56.** RCW 36.105.030 and 1991 c 363 s 101 are each amended to
35 read as follows:

1 A community for which a community council is created may include
2 only unincorporated territory located in a single county with a
3 population of over thirty thousand that is made up entirely of islands
4 and in counties with a population of over one million and not included
5 within a city or town. A community council must have at least one
6 thousand persons residing within the community when the community
7 council is created or, where the community only includes an entire
8 island, at least three hundred persons must reside on the island when
9 the community council is created. Any portion of such a community that
10 is annexed by a city or town, or is incorporated as a city or town,
11 shall be removed from the community upon the effective date of the
12 annexation or the official date of the incorporation.

13 **Sec. 57.** RCW 52.14.010 and 1985 c 330 s 2 are each amended to read
14 as follows:

15 The affairs of the district shall be managed by a board of fire
16 commissioners composed of three (~~resident electors of~~) registered
17 voters residing in the district except as provided in RCW 52.14.015 and
18 52.14.020. Each member shall each receive fifty dollars per day or
19 portion thereof, not to exceed four thousand eight hundred dollars per
20 year, for attendance at board meetings and for performance of other
21 services in behalf of the district.

22 In addition, they shall receive necessary expenses incurred in
23 attending meetings of the board or when otherwise engaged in district
24 business, and shall be entitled to receive the same insurance available
25 to all (~~firemen~~) fire fighters of the district: PROVIDED, That the
26 premiums for such insurance, except liability insurance, shall be paid
27 by the individual commissioners who elect to receive it.

28 Any commissioner may waive all or any portion of his or her
29 compensation payable under this section as to any month or months
30 during his or her term of office, by a written waiver filed with the
31 secretary as provided in this section. The waiver, to be effective,
32 must be filed any time after the commissioner's election and prior to
33 the date on which (~~said~~) the compensation would otherwise be paid.
34 The waiver shall specify the month or period of months for which it is
35 made.

36 The board shall fix the compensation to be paid the secretary and
37 all other agents and employees of the district. The board may, by
38 resolution adopted by unanimous vote, authorize any of its members to

1 increased to five members. The two additional members shall be
2 appointed in the same manner as provided in RCW 52.14.020.

3 **Sec. 59.** RCW 52.14.030 and 1984 c 230 s 31 are each amended to
4 read as follows:

5 ~~((The polling places for district elections shall be those of the
6 county voting precincts which include any of the territory within the
7 fire protection districts. District elections))~~ The polling places for
8 a fire protection district election may be located inside or outside
9 the boundaries of the district ((and)), as determined by the auditor of
10 the county in which the fire protection district is located, and the
11 elections of the fire protection district shall not be held to be
12 irregular or void on that account.

13 **Sec. 60.** RCW 52.14.050 and 1989 c 63 s 21 are each amended to read
14 as follows:

15 ~~((In the event of a vacancy occurring in the office of fire
16 commissioner, the vacancy shall, within sixty days, be filled by
17 appointment of a resident elector of the district by a vote of the
18 remaining fire commissioners. If the board of commissioners fails to
19 fill the vacancy within the sixty day period, the county legislative
20 authority of the county in which all, or the largest portion, of the
21 district is located shall make the appointment. If the number of
22 vacancies is such that there is not a majority of the full number of
23 commissioners in office as fixed by law, the county legislative
24 authority of the county in which all, or the largest portion, of the
25 district is located shall appoint someone to fill each vacancy, within
26 thirty days of each vacancy, that is sufficient to create a majority as
27 prescribed by law.~~

28 ~~An appointee shall serve ad interim until a successor has been
29 elected and qualified at the next general election as provided in
30 chapter 29.21 RCW. A person who is so elected shall take office
31 immediately after he or she is qualified and shall serve for the
32 remainder of the unexpired term.))~~

33 Vacancies on a board of fire commissioners shall occur as provided
34 in chapter 42.12 RCW. In addition, if a fire commissioner is absent
35 from the district for three consecutive regularly scheduled meetings
36 unless by permission of the board, the office shall be declared vacant
37 by the board of commissioners ((and the vacancy shall be filled as

1 ~~provided for in this section~~)). However, such an action shall not be
2 taken unless the commissioner is notified by mail after two consecutive
3 unexcused absences that the position will be declared vacant if the
4 commissioner is absent without being excused from the next regularly
5 scheduled meeting. Vacancies ((~~additionally shall occur~~) on a board
6 of fire commissioners shall be filled as provided in chapter 42.12 RCW.

7 **Sec. 61.** RCW 52.14.060 and 1989 c 63 s 22 are each amended to read
8 as follows:

9 The initial three members of the board of fire commissioners shall
10 be elected at the same election as when the ballot proposition is
11 submitted to the voters authorizing the creation of the fire protection
12 district. If the district is not authorized to be created, the
13 election of the initial fire commissioners shall be null and void. If
14 the district is authorized to be created, the initial fire
15 commissioners shall take office immediately when qualified. Candidates
16 shall file for each of the three separate fire commissioner positions.
17 Elections shall be held as provided in chapter 29.21 RCW, with the
18 county auditor opening up a special filing period as provided in RCW
19 ((~~29.21.360 and 29.21.370~~)) 29.15.170 and 29.15.180, as if there were
20 a vacancy. The ((~~candidate for each position~~)) person who receives the
21 greatest number of votes for each position shall be elected to that
22 position. ((~~If the election is held in an odd-numbered year, the~~
23 ~~winning candidate receiving the highest number of votes shall hold~~
24 ~~office for a term of six years, the winning candidate receiving the~~
25 ~~next highest number of votes shall hold office for a term of four~~
26 ~~years, and the candidate receiving the next highest number of votes~~
27 ~~shall serve for a term of two years. If the election were held in an~~
28 ~~even-numbered year, the winning candidate receiving the greatest number~~
29 ~~of votes shall hold office for a term of five years, the winning~~
30 ~~candidate receiving the next highest number of votes shall hold office~~
31 ~~for a term of three years, and the winning candidate receiving the next~~
32 ~~highest number of votes shall hold office for a term of one year.)) The
33 terms of office of the initial fire commissioners shall be staggered as
34 follows: (1) The person who is elected receiving the greatest number
35 of votes shall be elected to a six-year term of office if the election
36 is held in an odd-numbered year or a five-year term of office if the
37 election is held in an even-numbered year; (2) the person who is
38 elected receiving the next greatest number of votes shall be elected to~~

1 a four-year term of office if the election is held in an odd-numbered
2 year or a three-year term of office if the election is held in an even-
3 numbered year; and (3) the other person who is elected shall be elected
4 to a two-year term of office if the election is held in an odd-numbered
5 year or a one-year term of office if the election is held in an even-
6 numbered year. The initial commissioners shall take office immediately
7 when elected and qualified and their terms of office ((of the initially
8 elected fire commissioners)) shall be calculated from the first day of
9 January in the year following their election.

10 The term of office of each subsequent commissioner shall be six
11 years. Each commissioner shall serve until a successor is elected and
12 qualified and assumes office in accordance with RCW 29.04.170.

13 **Sec. 62.** RCW 53.12.140 and 1959 c 17 s 9 are each amended to read
14 as follows:

15 A vacancy in the office of port commissioner shall occur ((~~by~~
16 ~~death, resignation, removal, conviction of a felony,~~) as provided in
17 chapter 42.12 RCW or by nonattendance at meetings of the port
18 commission for a period of sixty days unless excused by the port
19 commission((, by any statutory disqualification, or by any permanent
20 disability preventing the proper discharge of his duty)). A vacancy on
21 a port commission shall be filled as provided in chapter 42.12 RCW.

22 **Sec. 63.** RCW 54.08.060 and 1979 ex.s. c 126 s 36 are each amended
23 to read as follows:

24 Whenever a proposition for the formation of a public utility
25 district is to be submitted to voters in any county, the county
26 legislative authority may by resolution call a special election, and at
27 the request of petitioners for the formation of such district contained
28 in the petition shall do so and shall provide for holding the same at
29 the earliest practicable time. If the boundaries of the proposed
30 district embrace an area less than the entire county, such election
31 shall be confined to the area so included. The notice of such election
32 shall state the boundaries of the proposed district and the object of
33 such election; in other respects, such election shall be held and
34 called in the same manner as provided by law for the holding and
35 calling of general elections: PROVIDED, That notice thereof shall be
36 given for not less than ten days nor more than thirty days prior to
37 such special election. In submitting the ((~~said~~)) proposition to the

1 voters for their approval or rejection, such proposition shall be
2 expressed on the ballots in substantially the following terms:

- 3 Public Utility District No. YES
- 4 Public Utility District No. NO

5 At the same special election on the proposition to form a public
6 utility district, there shall also be an election for three public
7 utility district commissioners(~~(:—PROVIDED, That)~~). However, the
8 election of such commissioners shall be null and void if the
9 proposition to form the public utility district does not receive
10 approval by a majority of the voters voting on the proposition.
11 ~~((Nomination for and election of public utility district commissioners~~
12 ~~shall conform with the provisions of RCW 54.12.010 as now or hereafter~~
13 ~~amended, except for the day of such election and the term of office of~~
14 ~~the original commissioners.))~~ No primary shall be held. A special
15 filing period shall be opened as provided in RCW 29.15.170 and
16 29.15.180. The person receiving the greatest number of votes for the
17 commissioner of each commissioner district shall be elected as the
18 commissioner of that district. Commissioner districts shall be
19 established as provided in RCW 54.12.010. The terms of the initial
20 commissioners shall be staggered as follows: (1) The person who is
21 elected receiving the greatest number of votes shall be elected to a
22 six-year term of office if the election is held in an even-numbered
23 year or a five-year term if the election is held in an odd-numbered
24 year; (2) the person who is elected receiving the next greatest number
25 of votes shall be elected to a four-year term of office if the election
26 is held in an even-numbered year or a three-year term of office if the
27 election is held in an odd-numbered year; and (3) the other person who
28 is elected shall be elected to a two-year term of office if the
29 election is held in an even-numbered year or a one-year term of office
30 if the election is held in an odd-numbered year. The commissioners
31 first to be elected at such special election shall ((hold office from
32 the first day of the month following the commissioners' election for
33 the terms as specified in this section which terms shall be computed
34 from the first day in January next following the election. If such
35 special election was held in an even-numbered year, the commissioners
36 residing in commissioner district number one shall hold office for the
37 term of six years, the commissioner residing in commissioner district

1 ~~number two shall hold office for the term of four years, and the~~
2 ~~commissioner residing in commissioner district number three shall hold~~
3 ~~office for the term of two years. If such special election was held in~~
4 ~~an odd numbered year, the commissioner residing in commissioner~~
5 ~~district number one shall hold office for the term of five years, the~~
6 ~~commissioner residing in commissioner district number two shall hold~~
7 ~~office for the term of three years, and the commissioner residing in~~
8 ~~commissioner district number three shall hold office for the term of~~
9 ~~one year)) assume office immediately when they are elected and~~
10 ~~qualified, but the length of their terms of office shall be calculated~~
11 ~~from the first day in January in the year following their elections.~~

12 The term "general election" as used herein means biennial general
13 elections at which state and county officers in a noncharter county are
14 elected.

15 **Sec. 64.** RCW 54.12.010 and 1990 c 59 s 109 are each amended to
16 read as follows:

17 ~~((Within ten days after such election, the county canvassing board~~
18 ~~shall canvass the returns, and if at such election a majority of the~~
19 ~~voters voting upon such proposition shall vote in favor of the~~
20 ~~formation of such district, the canvassing board shall so declare in~~
21 ~~its canvass of the returns of such election, and such public utility~~
22 ~~district shall then be and become)) A public utility district that is~~
23 ~~created as provided in RCW 54.08.010 shall be~~ a municipal corporation
24 of the state of Washington, and the name of such public utility
25 district shall be Public Utility District No. of
26 County.

27 The powers of the public utility district shall be exercised
28 through a commission consisting of three members in three commissioner
29 districts, and five members in five commissioner districts.

30 When the public utility district is ~~((coextensive with the limits~~
31 ~~of such county)) county-wide and the county has three county~~
32 ~~legislative authority districts,~~ then, at the first election of
33 commissioners and until any change shall have been made in the
34 boundaries of public utility district commissioner districts, one
35 public utility district commissioner shall be chosen from each of the
36 three county ~~((commissioner)) legislative authority districts~~ ~~((of the~~
37 ~~county in which the public utility district is located if the county is~~
38 ~~not operating under a "Home Rule" charter)). When the public utility~~

1 district comprises only a portion of the county, with boundaries
2 established in accordance with chapter 54.08 RCW, or when the public
3 utility district is ~~((located in a county operating under a "Home Rule"~~
4 ~~charter))~~ county-wide and the county does not have three county
5 legislative authority districts, three public utility district
6 commissioner districts, numbered consecutively, ~~((having))~~ each with
7 approximately equal population and ~~((boundaries,))~~ following ~~((ward~~
8 ~~and))~~ precinct lines, as far as practicable, shall be described in the
9 petition for the formation of the public utility district, which shall
10 be subject to appropriate change by the county legislative authority if
11 and when ~~((they))~~ it changes the boundaries of the proposed public
12 utility district, and one commissioner shall be elected ~~((from each of~~
13 ~~said))~~ as a commissioner of each of the public utility district
14 commissioner districts. ~~((In all five commissioner districts an~~
15 ~~additional commissioner at large shall be chosen from each of the two~~
16 ~~at large districts. No person shall be eligible to be elected to the~~
17 ~~office of public utility district commissioner for a particular~~
18 ~~district commissioner district unless he is a registered voter of the~~
19 ~~public utility district commissioner district or at large district from~~
20 ~~which he is elected.))~~ Commissioner districts shall be used as follows:
21 (1) Only a registered voter who resides in a commissioner district may
22 be a candidate for, or hold office as, a commissioner of the
23 commissioner district; and (2) only voters of a commissioner district
24 may vote at a primary to nominate candidates for a commissioner of the
25 commissioner district. Voters of the entire public utility district
26 may vote at a general election to elect a person as a commissioner of
27 the commissioner district.

28 ~~((Except as otherwise provided,))~~ The term of office of each public
29 utility district commissioner other than the commissioners at large
30 shall be six years, and the term of each commissioner at large shall be
31 four years. Each term shall be computed in accordance with RCW
32 29.04.170 following the commissioner's election. ~~((One commissioner at~~
33 ~~large and one commissioner from a commissioner district shall be~~
34 ~~elected at each general election held in an even-numbered year for the~~
35 ~~term of four years and six years respectively. All candidates shall be~~
36 ~~voted upon by the entire public utility district.~~

37 ~~When a public utility district is formed, three public utility~~
38 ~~district commissioners shall be elected at the same election at which~~
39 ~~the proposition is submitted to the voters as to whether such public~~

1 utility district shall be formed. If the general election adopting the
2 proposition to create the public utility district was held in an even-
3 numbered year, the commissioner residing in commissioner district
4 number one shall hold office for the term of six years; the
5 commissioner residing in commissioner district number two shall hold
6 office for the term of four years; and the commissioner residing in
7 commissioner district number three shall hold office for the term of
8 two years. If the general election adopting the proposition to create
9 the public utility district was held in an odd-numbered year, the
10 commissioner residing in commissioner district number one shall hold
11 office for the term of five years, the commissioner in district two
12 shall hold office for the term of three years, and the commissioner in
13 district three shall hold office for the term of one year. The
14 commissioners first to be elected as above provided shall hold office
15 from the first day of the month following the commissioners' election
16 and their respective terms of office shall be computed from the first
17 day of January next following the election.))

18 All public utility district commissioners shall hold office until
19 their successors shall have been elected and have qualified and assume
20 office in accordance with RCW 29.04.170. ((A filing for nomination for
21 public utility district commissioner shall be accompanied by a petition
22 signed by one hundred registered voters of the public utility district
23 which shall be certified by the county auditor to contain the required
24 number of registered voters, and shall otherwise be filed in accord
25 with the requirements of Title 29 RCW. At the time of filing such
26 nominating petition, the person so nominated shall execute and file a
27 declaration of candidacy subject to the provisions of Title 29 RCW, as
28 now or hereafter amended. The petition and each page of the petition
29 shall state whether the nomination is for a commissioner from a
30 particular commissioner district or for a commissioner at large and
31 shall state the districts; otherwise it shall be void.))

32 A vacancy in the office of public utility district commissioner
33 shall occur as provided in chapter 42.12 RCW or by ((death,
34 resignation, removal, conviction of a felony,)) nonattendance at
35 meetings of the public utility district commission for a period of
36 sixty days unless excused by the public utility district commission((
37 by any statutory disqualification, or by any permanent disability
38 preventing the proper discharge of his duty. In the event of a vacancy
39 in said office, such vacancy shall be filled at the next general

1 election held in an even numbered year, the vacancy in the interim to
2 be filled by appointment by the remaining commissioners. If more than
3 one vacancy exists at the same time in a three commissioner district,
4 or more than two in a five commissioner district, a special election
5 shall be called by the county canvassing board upon the request of the
6 remainder, or, that failing, by the county election board, such
7 election to be held not more than forty days after the occurring of
8 such vacancies.

9 A majority of the persons holding the office of public utility
10 district commissioner at any time shall constitute a quorum of the
11 commission for the transaction of business, and the concurrence of a
12 majority of the persons holding such office at the time shall be
13 necessary and shall be sufficient for the passage of any resolution,
14 but no business shall be transacted, except in usual and ordinary
15 course, unless there are in office at least a majority of the full
16 number of commissioners fixed by law)). Vacancies on a board of public
17 utility district commissioners shall be filled as provided in chapter
18 42.12 RCW.

19 The boundaries of the public utility district ((commissioners'))
20 commissioner districts may be changed only by the public utility
21 district commission, and shall be examined every ten years to determine
22 substantial equality of population in accordance with chapter 29.70
23 RCW, but ((said)) the boundaries shall not be changed oftener than once
24 in four years, and only when all members of the commission are present.
25 Whenever territory is added to a public utility district under RCW
26 54.04.035, the boundaries of the public utility ((commissioners'))
27 commissioner districts shall be changed to include such additional
28 territory. The proposed change of the boundaries of the public utility
29 district ((commissioners')) commissioner district must be made by
30 resolution and after public hearing. Notice of the time of a public
31 hearing thereon shall be published for two weeks prior thereto. Upon
32 a referendum petition signed by ten percent of the qualified voters of
33 the public utility district being filed with the county auditor, the
34 county legislative authority shall submit such proposed change of
35 boundaries to the voters of the public utility district for their
36 approval or rejection. Such petition must be filed within ninety days
37 after the adoption of resolution of the proposed action. The validity
38 of ((said)) the petition shall be governed by the provisions of chapter
39 54.08 RCW.

1 **Sec. 65.** RCW 54.40.070 and 1977 ex.s. c 36 s 7 are each amended to
2 read as follows:

3 Within thirty days after the public utility district commission
4 shall divide the district into two at large districts, the county
5 legislative authority shall call a special election, to be held at the
6 next scheduled special election called pursuant to RCW 29.13.010, or
7 not more than ninety days after such call, at which time the initial
8 commissioners to such at large districts shall be elected(~~(7)~~). No
9 primary shall be held and a special filing period shall be opened as
10 provided in RCW 29.15.170 and 29.15.180. The person receiving the
11 greatest number of votes for each position shall be elected.

12 The person who is elected receiving the (~~((largest))~~) greatest
13 number of votes (~~((to serve for four years))~~) shall be elected to a four-year
14 term of office, and the other person (~~((receiving the next largest~~
15 ~~number of votes to serve an initial term of two years))~~) who is elected
16 shall be elected to a two-year term of office, if the election is held
17 in an even-numbered year, or the person who is elected receiving the
18 greatest number of votes shall be elected to a three-year term of
19 office, and the other person who is elected shall be elected to a one-
20 year term of office, if the election is held in an odd-numbered year.
21 The length of these terms of office shall be calculated from the first
22 day in January in the year following their elections.

23 The newly elected commissioners shall assume office immediately
24 after being elected and qualified and shall serve until their
25 successors are elected and qualified and assume office in accordance
26 with RCW 29.04.170. Each successor shall be elected to a four-year
27 term of office.

28 **Sec. 66.** RCW 56.12.020 and 1979 ex.s. c 126 s 38 are each amended
29 to read as follows:

30 At the election held to form or reorganize a sewer district,
31 (~~((there shall be elected three commissioners who shall assume office~~
32 ~~immediately when qualified in accordance with RCW 29.01.135 to hold~~
33 ~~office for terms of two, four, and six years respectively, and until~~
34 ~~their successors are elected and qualified and assume office in~~
35 ~~accordance with RCW 29.04.170.~~

36 The term of each nominee shall be expressed on the ballot and shall
37 be computed from the first day of January next following if the initial
38 election of the sewer district commissioners was in a general district

1 election as provided in RCW 29.13.020, or from the first day of January
2 following the first general election for sewer districts after its
3 creation if the initial election was on a date other than a general
4 district election. Thereafter, every two years there shall be elected
5 a commissioner for a term of six years and until his or her successor
6 is elected and qualified, at the general election held in the odd-
7 numbered years, as provided in RCW 29.13.020, and conducted by the
8 county auditor and the returns shall be canvassed by the county
9 canvassing board of election returns: PROVIDED, That each such
10 commissioner shall assume office in accordance with RCW 29.04.170))
11 three sewer district commissioners shall be elected. The election of
12 sewer district commissioners shall be null and void if the ballot
13 proposition to form or reorganize the sewer district is not approved.
14 Candidates shall run for one of three separate commissioner positions.
15 A special filing period shall be opened as provided in RCW 29.15.170
16 and 29.15.180. The person receiving the greatest number of votes for
17 each position shall be elected to that position.

18 The newly elected sewer district commissioners shall assume office
19 immediately when they are elected and qualified. Staggering of the
20 terms of office for the new sewer district commissioners shall be
21 accomplished as follows: (1) The person who is elected receiving the
22 greatest number of votes shall be elected to a six-year term of office
23 if the election is held in an odd-numbered year or a five-year term of
24 office if the election is held in an even-numbered year; (2) the person
25 who is elected receiving the next greatest number of votes shall be
26 elected to a four-year term of office if the election is held in an
27 odd-numbered year or a three-year term of office if the election is
28 held in an even-numbered year; and (3) the other person who is elected
29 shall be elected to a two-year term of office if the election is held
30 in an odd-numbered year or a one-year term of office if the election is
31 held in an even-numbered year. The terms of office shall be calculated
32 from the first day of January in the year following the election.

33 Thereafter commissioners shall be elected to six-year terms of
34 office. Commissioners shall serve until their successors are elected
35 and qualified and assume office in accordance with RCW 29.04.170.

36 **Sec. 67.** RCW 56.12.030 and 1990 c 259 s 24 are each amended to
37 read as follows:

1 (~~(1) Nominations for the first board of commissioners to be~~
2 ~~electd at the election for the formation of the sewer district shall~~
3 ~~be by petition of fifty registered voters or ten percent of the~~
4 ~~registered voters of the district who voted in the last general~~
5 ~~municipal election, whichever is the smaller. The petition shall be~~
6 ~~filed in the auditor's office of the county in which the district is~~
7 ~~located at least forty five days before the election. Thereafter~~
8 ~~candidates for the office of sewer commissioner shall file declarations~~
9 ~~of candidacy and their election shall be conducted as provided by the~~
10 ~~general elections laws. A vacancy or vacancies shall be filled by~~
11 ~~appointment by the remaining commissioner or commissioners until the~~
12 ~~next regular election for commissioners: PROVIDED, That if there are~~
13 ~~two vacancies on the board, one vacancy shall be filled by appointment~~
14 ~~by the remaining commissioner and the one remaining vacancy shall be~~
15 ~~filled by appointment by the then two commissioners and the appointed~~
16 ~~commissioners shall serve until the next regular election for~~
17 ~~commissioners. If the vacancy or vacancies remain unfilled within six~~
18 ~~months of its or their occurrence, the county legislative authority in~~
19 ~~which the district is located shall make the necessary appointment or~~
20 ~~appointments. If there is a vacancy of the entire board a new board~~
21 ~~may be appointed by the county legislative authority. Any person~~
22 ~~residing in the district who is at the time of election a registered~~
23 ~~voter may vote at any election held in the sewer district.~~

24 (~~2) Subsection (1) of this section notwithstanding,)~~ The board of
25 commissioners of any sewer district may (provide by majority vote that
26 subsequent commissioners be elected from commissioner districts)) adopt
27 a resolution providing that each subsequent commissioner be elected as
28 a commissioner of a commissioner district within the district. If the
29 board exercises this option, it shall divide the district into
30 ((three)) a number of commissioner districts ((of)) equal in number to
31 the number of commissioners on the board, each with approximately equal
32 population following current precinct and district boundaries as far as
33 practicable. ((Thereafter, candidates shall be nominated and one
34 candidate shall be elected from each commissioner district by the
35 registered voters of the commissioner district.

36 (3) All expense of elections for the formation or reorganization of
37 a sewer district shall be paid by the county in which the election is
38 held and the expenditure is hereby declared to be for a county purpose,
39 and the money paid for that purpose shall be repaid to the county by

1 ~~the district if formed or reorganized.))~~ Commissioner districts shall
2 be used as follows: (1) Only a registered voter who resides in a
3 commissioner district may be a candidate for, or serve as, a
4 commissioner of the commissioner district; and (2) only voters of a
5 commissioner district may vote at a primary to nominate candidates for
6 a commissioner of the commissioner district. Voters of the entire
7 sewer district may vote at a general election to elect a person as a
8 commissioner of the commissioner district. Commissioner districts
9 shall be redrawn as provided in chapter 29.70 RCW.

10 NEW SECTION. Sec. 68. A new section is added to chapter 56.12 RCW
11 to read as follows:

12 Sewer district elections shall conform with general election laws.

13 Vacancies on a board of sewer commissioners shall occur and shall
14 be filled as provided in chapter 42.12 RCW.

15 **Sec. 69.** RCW 57.02.050 and 1982 1st ex.s. c 17 s 5 are each
16 amended to read as follows:

17 Whenever the boundaries or proposed boundaries of a water district
18 include or are proposed to include by means of formation, annexation,
19 consolidation, or merger (including merger with a sewer district)
20 territory in more than one county, all duties delegated by Title 57 RCW
21 to officers of the county in which the district is located shall be
22 delegated to the officers of the county in which the largest land area
23 of the district is located, except that elections shall be conducted
24 pursuant to (~~RCW 57.02.060, as now existing or hereafter amended~~)
25 general election law, actions subject to review and approval under RCW
26 57.02.040 and 56.02.070 shall be reviewed and approved only by the
27 officers or boards in the county in which such actions are proposed to
28 occur, verification of electors' signatures shall be conducted by the
29 county election officer of the county in which such signators reside,
30 and comprehensive plan review and approval or rejection by the
31 respective county legislative authorities under RCW 57.16.010 shall be
32 limited to that part of such plans within the respective counties.

33 **Sec. 70.** RCW 57.12.020 and 1990 c 259 s 30 are each amended to
34 read as follows:

35 (~~Nominations for the first board of commissioners to be elected at~~
36 ~~the election for the formation of the water district shall be by~~

1 petition of at least ten percent of the registered voters of the
2 district who voted in the last general municipal election, filed in the
3 auditor's office of the county in which the district is located, at
4 least forty five days prior to the election. Thereafter, candidates
5 for the office of water commissioners shall file declarations of
6 candidacy and their election shall be conducted as provided by the
7 general election laws.))

8 A vacancy ((or vacancies)) on the board shall occur and shall be
9 filled ((by appointment by the remaining commissioner or commissioners
10 until the next regular election for commissioners: PROVIDED, That if
11 there are two vacancies on the board, one vacancy shall be filled by
12 appointment by the remaining commissioner and the one remaining vacancy
13 shall be filled by appointment by the then two commissioners and the
14 appointed commissioners shall serve until the next regular election for
15 commissioners. If the vacancy or vacancies remain unfilled within six
16 months of its or their occurrence, the county legislative authority in
17 which the district is located shall make the necessary appointment or
18 appointments. If there is a vacancy of the entire board a new board
19 may be appointed by the county legislative authority.

20 Any person residing in the district who is a registered voter under
21 the laws of the state may vote at any district election)) as provided
22 in chapter 42.12 RCW.

23 **Sec. 71.** RCW 57.12.030 and 1982 1st ex.s. c 17 s 14 are each
24 amended to read as follows:

25 ((The general laws of the state of Washington governing the
26 registration of voters for a general or a special city election shall
27 govern the registration of voters for elections held under this
28 chapter. The manner of holding any general or special election for
29 said)) Water district elections shall be held in accordance with the
30 general election laws of this state. ((All elections in a water
31 district shall be conducted under RCW 57.02.060. All expenses of
32 elections for a water district shall be paid for out of the funds of
33 the water district: PROVIDED, That if the voters fail to approve the
34 formation of a water district, the expenses of the formation election
35 shall be paid by each county in which the proposed district is located,
36 in proportion to the number of registered voters in the proposed
37 district residing in each county.))

1 Except as in this section otherwise provided, the term of office of
2 each water district commissioner shall be six years, such term to be
3 computed from the first day of January following the election, and
4 ~~((one commissioner shall be elected at each biennial general election,~~
5 ~~as provided in RCW 29.13.020, for the term of six years and until his~~
6 ~~or her successor is)) commissioners shall serve until their successors
7 are elected and qualified and assume((s)) office in accordance with RCW
8 29.04.170. ((All candidates shall be voted upon by the entire water
9 district.))~~

10 Three water district commissioners shall be elected at the same
11 election at which the proposition is submitted to the voters as to
12 whether such water district shall be formed. ~~((The commissioner~~
13 ~~elected in commissioner position number one shall hold office for the~~
14 ~~term of six years; the commissioner elected in commissioner position~~
15 ~~number two shall hold office for the term of four years; and the~~
16 ~~commissioner elected in commissioner position number three shall hold~~
17 ~~office for the term of two years: PROVIDED, That the members of the~~
18 ~~first commission shall take office immediately upon their election and~~
19 ~~qualification. The terms of all commissioners first to be elected~~
20 ~~shall also include the time intervening between the date that the~~
21 ~~results of their election are declared in the canvass of returns~~
22 ~~thereof and the first day of January following the next general~~
23 ~~district election as provided in RCW 29.13.020.)) The election of
24 water district commissioners shall be null and void if the ballot
25 proposition to form the water district is approved. Each candidate
26 shall run for one of three separate commissioner positions. A special
27 filing period shall be opened as provided in RCW 29.15.170 and
28 29.15.180. The person receiving the greatest number of votes for each
29 position shall be elected to that position.~~

30 The newly elected water district commissioners shall assume office
31 immediately when they are elected and qualified. Staggering of the
32 terms of office for the new water district commissioners shall be
33 accomplished as follows: (1) The person who is elected receiving the
34 greatest number of votes shall be elected to a six-year term of office
35 if the election is held in an odd-numbered year or a five-year term of
36 office if the election is held in an even-numbered year; (2) the person
37 who is elected receiving the next greatest number of votes shall be
38 elected to a four-year term of office if the election is held in an
39 odd-numbered year or a three-year term of office if the election is

1 held in an even-numbered year; and (3) the other person who is elected
2 shall be elected to a two-year term of office if the election is held
3 in an odd-numbered year or a one-year term of office if the election is
4 held in an even-numbered year. The terms of office shall be calculated
5 from the first day of January after the election.

6 Thereafter, commissioners shall be elected to six-year terms of
7 office. Commissioners shall serve until their successors are elected
8 and qualified and assume office in accordance with RCW 29.04.170.

9 **Sec. 72.** RCW 57.12.039 and 1986 c 41 s 2 are each amended to read
10 as follows:

11 Notwithstanding RCW 57.12.020 and 57.12.030, the board of
12 commissioners may provide by majority vote that subsequent
13 commissioners be elected from commissioner districts within the
14 district. If the board exercises this option, it shall divide the
15 district into three commissioner districts of approximately equal
16 population following current precinct and district boundaries.
17 ~~((Thereafter, candidates shall be nominated and one candidate shall be~~
18 ~~elected from each commissioner district by the electors of the~~
19 ~~commissioner district.))~~

20 Commissioner districts shall be used as follows: (1) Only a
21 registered voter who resides in a commissioner district may be a
22 candidate for, or serve as, a commissioner of the commissioner
23 district; and (2) only voters of a commissioner district may vote at a
24 primary to nominate candidates for a commissioner of the commissioner
25 district. Voters of the entire water district may vote at a general
26 election to elect a person as a commissioner of the commissioner
27 district. Commissioner districts shall be redrawn as provided in
28 chapter 29.70 RCW.

29 **Sec. 73.** RCW 57.32.022 and 1982 1st ex.s. c 17 s 31 are each
30 amended to read as follows:

31 The respective boards of water commissioners of the consolidating
32 districts shall certify the agreement to the county election officer of
33 each county in which the districts are located. A special election
34 shall be called by the county election officer ~~((under RCW 57.02.060))~~
35 for the purpose of submitting to the voters of each of the
36 consolidating districts the proposition of whether or not the several
37 districts shall be consolidated into one water district. The

1 proposition shall give the title of the proposed consolidated district.
2 Notice of the election shall be given and the election conducted in
3 accordance with the general election laws.

4 **Sec. 74.** RCW 57.32.023 and 1982 1st ex.s. c 17 s 32 are each
5 amended to read as follows:

6 If at the election a majority of the voters in each of the
7 consolidating districts vote in favor of the consolidation, the county
8 canvassing board shall so declare in its canvass (~~under RCW~~
9 ~~57.02.060~~) and the return of such election shall be made within ten
10 days after the date thereof. Upon the return the consolidation shall
11 be effective and the consolidating districts shall cease to exist and
12 shall then be and become a new water district and municipal corporation
13 of the state of Washington. The name of such new water district shall
14 be "Water District No.", which shall be the name appearing on the
15 ballot. The district shall have all and every power, right, and
16 privilege possessed by other water districts of the state of
17 Washington. The district may issue revenue bonds to pay for the
18 construction of any additions and betterments set forth in the
19 comprehensive plan of water supply contained in the agreement for
20 consolidation and any future additions and betterments to the
21 comprehensive plan of water supply, as its board of water commissioners
22 shall by resolution adopt, without submitting a proposition therefor to
23 the voters of the district.

24 NEW SECTION. **Sec. 75.** A new section is added to chapter 68.52 RCW
25 to read as follows:

26 Cemetery district elections shall conform with general election
27 laws.

28 A vacancy on a board of cemetery district commissioners shall occur
29 and shall be filled as provided in chapter 42.12 RCW.

30 **Sec. 76.** RCW 68.52.100 and 1947 c 6 s 2 are each amended to read
31 as follows:

32 For the purpose of forming a cemetery district, a petition
33 designating the boundaries of the proposed district by metes and bounds
34 or describing the lands to be included in the proposed district by
35 government townships, ranges and legal subdivisions, signed by not less
36 than fifteen percent of the (~~qualified~~) registered (~~electors, who~~

1 ~~are property owners or are purchasing property under contract and who~~
2 ~~are resident~~) voters who reside within the boundaries of the proposed
3 district, setting forth the object of the formation of such district
4 and stating that the establishment thereof will be conducive to the
5 public welfare and convenience, shall be filed with the county auditor
6 of the county within which the proposed district is located,
7 accompanied by an obligation signed by two or more petitioners agreeing
8 to pay the cost of publishing the notice hereinafter provided for. The
9 county auditor shall, within thirty days from the date of filing of
10 such petition, examine the signatures and certify to the sufficiency or
11 insufficiency thereof (~~and for such purpose shall have access to~~
12 ~~registration books and records in possession of the registration~~
13 ~~officers of the election precincts included in whole or in part within~~
14 ~~the boundaries of the proposed district and to the tax rolls and other~~
15 ~~records in the offices of the county assessor and county treasurer. No~~
16 ~~person having~~). The name of any person who signed a petition shall
17 not be (~~allowed to withdraw his name therefrom~~) withdrawn from the
18 petition after it has been filed with the county auditor. If the
19 petition is found to contain a sufficient number of valid signatures
20 (~~of qualified persons~~), the county auditor shall transmit it, with
21 (~~his~~) a certificate of sufficiency attached, to the (~~board of~~)
22 county (~~commissioners~~) legislative authority, which shall thereupon,
23 by resolution entered upon its minutes, receive the same and fix a day
24 and hour when it will publicly hear (~~said~~) the petition.

25 **Sec. 77.** RCW 68.52.140 and 1982 c 60 s 2 are each amended to read
26 as follows:

27 The (~~board of~~) county (~~commissioners~~) legislative authority
28 shall have full authority to hear and determine the petition, and if it
29 finds that the formation of the district will be conducive to the
30 public welfare and convenience, it shall by resolution so declare,
31 otherwise it shall deny the petition. If the (~~board~~) county
32 legislative authority finds in favor of the formation of the district,
33 it shall designate the name and number of the district, fix the
34 boundaries thereof, and cause an election to be held therein for the
35 purpose of determining whether or not the district shall be organized
36 under the provisions of this chapter, and for the purpose of electing
37 its first cemetery district commissioners. (~~The board shall, prior to~~
38 ~~calling the said election, name three registered resident electors who~~

1 ~~are property owners or are purchasing property under contract within~~
2 ~~the boundaries of the district as candidates for election as cemetery~~
3 ~~district commissioners. These electors are exempt from the~~
4 ~~requirements of chapter 42.17 RCW.)~~ At the same election three
5 cemetery district commissioners shall be elected, but the election of
6 the commissioners shall be null and void if the district is not
7 created. No primary shall be held. A special filing period shall be
8 opened as provided in RCW 29.15.170 and 29.15.180. Candidates shall
9 run for specific commissioner positions. The person receiving the
10 greatest number of votes for each commissioner position shall be
11 elected to that commissioner position. The terms of office of the
12 initial commissioners shall be as provided in RCW 68.52.220.

13 **Sec. 78.** RCW 68.52.160 and 1947 c 6 s 8 are each amended to read
14 as follows:

15 The ballot for (~~said~~) the election shall be in such form as may
16 be convenient but shall present the propositions substantially as
17 follows:

18 ".....(insert county name)..... cemetery district No.(insert
19 number).....

20Yes.....

21(insert county name)..... cemetery district No.(insert
22 number).....

23No....."

24 (~~and shall specify the names of the candidates nominated for election~~
25 ~~as the first cemetery district commissioners with appropriate space to~~
26 ~~vote for the same.))~~

27 **Sec. 79.** RCW 68.52.220 and 1990 c 259 s 33 are each amended to
28 read as follows:

29 The affairs of the district shall be managed by a board of cemetery
30 district commissioners composed of three (~~qualified registered voters~~
31 ~~of the district~~) members. Members of the board shall receive no
32 compensation for their services, but shall receive expenses necessarily
33 incurred in attending meetings of the board or when otherwise engaged
34 in district business. The board shall fix the compensation to be paid
35 the secretary and other employees of the district. (~~The first three~~

1 cemetery district commissioners shall serve only until the first day in
2 January following the next general election, provided such election
3 occurs thirty or more days after the formation of the district, and
4 until their successors have been elected and qualified and have assumed
5 office in accordance with RCW 29.04.170. At the next general district
6 election, as provided in RCW 29.13.020, provided it occurs thirty or
7 more days after the formation of the district, three members of the
8 board of cemetery commissioners shall be chosen. They and all
9 subsequently elected cemetery commissioners shall have the same
10 qualifications as required of the first three cemetery commissioners
11 and)) Cemetery district commissioners and candidates for cemetery
12 district commissioner are exempt from the requirements of chapter 42.17
13 RCW. ((The candidate receiving the highest number of votes shall serve
14 for a term of six years beginning on the first day in January
15 following; the candidate receiving the next higher number of votes
16 shall serve for a term of four years from the date; and the candidate
17 receiving the next higher number of votes shall serve for a term of two
18 years from the date. Upon the expiration of their respective terms,
19 all cemetery commissioners shall be elected for terms of six years to
20 begin on the first day in January next succeeding the day of election
21 and shall serve until their successors have been elected and qualified
22 and assume office in accordance with RCW 29.04.170. Elections shall be
23 called, noticed, conducted and canvassed and in the same manner and by
24 the same officials as provided for general county elections.))

25 The initial cemetery district commissioners shall assume office
26 immediately upon their election and qualification. Staggering of terms
27 of office shall be accomplished as follows: (1) The person elected
28 receiving the greatest number of votes shall be elected to a six-year
29 term of office if the election is held in an odd-numbered year or a
30 five-year term of office if the election is held in an even-numbered
31 year; (2) the person who is elected receiving the next greatest number
32 of votes shall be elected to a four-year term of office if the election
33 is held in an odd-numbered year or a three-year term of office if the
34 election is held in an even-numbered year; and (3) the other person who
35 is elected shall be elected to a two-year term of office if the
36 election is held in an odd-numbered year or a one-year term of office
37 if the election is held in an even-numbered year. The initial
38 commissioners shall assume office immediately after they are elected

1 and qualified but their terms of office shall be calculated from the
2 first day of January after the election.

3 Thereafter, commissioners shall be elected to six-year terms of
4 office. Commissioners shall serve until their successors are elected
5 and qualified and assume office as provided in RCW 29.04.170.

6 The polling places for a cemetery district election (~~((shall be~~
7 ~~those of the county voting precincts which include any of the territory~~
8 ~~within the cemetery district, and))~~) may be located inside or outside
9 the boundaries of the district, as determined by the auditor of the
10 county in which the cemetery district is located, and no such election
11 shall be held irregular or void on that account.

12 **Sec. 80.** RCW 70.44.040 and 1990 c 259 s 39 are each amended to
13 read as follows:

14 (1) The provisions of Title 29 RCW relating to elections shall
15 govern public hospital districts, except ((that:—(1))) as provided in
16 this chapter.

17 A public hospital district shall be created when the ballot
18 proposition authorizing the creation of the district is approved by a
19 simple majority vote of the voters of the proposed district voting on
20 the proposition and the total vote cast upon the proposition ((to form
21 a hospital district shall)) exceeds forty percent of the total number
22 of votes cast in the ((precincts comprising the)) proposed district at
23 the preceding state general ((and county)) election((; and (2) hospital
24 district commissioners shall hold office for the term of six years and
25 until their successors are elected and qualified, each term to commence
26 on the first day in January following the election)).

27 At the election at which the proposition is submitted to the voters
28 as to whether a district shall be formed, three commissioners shall be
29 elected ((to hold office, respectively, for the terms of two, four, and
30 six years. All candidates shall be voted upon by the entire district,
31 and the candidate residing in commissioner district No. 1 receiving the
32 highest number of votes in the hospital district shall hold office for
33 the term of six years; the candidate residing in commissioner district
34 No. 2 receiving the highest number of votes in the hospital district
35 shall hold office for the term of four years; and the candidate
36 residing in commissioner district No. 3 receiving the highest number of
37 votes in the hospital district shall hold office for the term of two
38 years. The first commissioners to be elected shall take office

1 immediately when qualified in accordance with RCW 29.01.135. Each term
2 of the initial commissioners shall date from the time above specified
3 following the organizational election, but shall also include the
4 period intervening between the organizational election and the first
5 day of January following the next district general election: PROVIDED,
6 That in public hospital districts encompassing portions of more than
7 one county, the total vote cast upon the proposition to form the
8 district shall exceed forty percent of the total number of votes cast
9 in each portion of each county lying within the proposed district at
10 the next preceding general county election. The portion of the
11 proposed district located within each county shall constitute a
12 separate commissioner district. There shall be three district
13 commissioners whose terms shall be six years. Each district shall be
14 designated by the name of the county in which it is located. All
15 candidates for commissioners shall be voted upon by the entire
16 district. Not more than one commissioner shall reside in any one
17 district: PROVIDED FURTHER, That in the event there are only two
18 districts then two commissioners may reside in one district. The term
19 of each commissioner shall commence on the first day in January in each
20 year following his election. At the election at which the proposition
21 is submitted to the voters as to whether a district shall be formed,
22 three commissioners shall be elected to hold office, respectively, for
23 the terms of two, four, and six years. The candidate receiving the
24 highest number of votes within the district, as constituted by the
25 election, shall serve a term of six years; the candidate receiving the
26 next highest number of votes shall hold office for a term of four
27 years; and the candidate receiving the next highest number of votes
28 shall hold office for a term of two years: PROVIDED FURTHER, That the
29 holding of each such term of office shall be subject to the residential
30 requirements for district commissioners hereinbefore set forth in this
31 section)). The election of the initial commissioners shall be null and
32 void if the district is not authorized to be created.

33 No primary shall be held. A special filing period shall be opened
34 as provided in RCW 29.15.170 and 29.15.180. The person receiving the
35 greatest number of votes for the commissioner of each commissioner
36 district shall be elected as the commissioner of that district. The
37 terms of office of the initial public hospital district commissioners
38 shall be staggered as follows: (a) The person who is elected receiving
39 the greatest number of votes shall be elected to a six-year term of

1 office if the election is held in an odd-numbered year or a five-year
2 term of office if the election is held in an even-numbered year; (b)
3 the person who is elected receiving the next greatest number of votes
4 shall be elected to a four-year term of office if the election is held
5 in an odd-numbered year or a three-year term of office if the election
6 is held in an even-numbered year; and (c) the other person who is
7 elected shall be elected to a two-year term of office if the election
8 is held in an odd-numbered year or a one-year term of office if the
9 election is held in an even-numbered year. The initial commissioners
10 shall take office immediately when they are elected and qualified, but
11 the length of such terms shall be computed from the first day of
12 January in the year following this election. The term of office of
13 each successor shall be six years. Each commissioner shall serve until
14 a successor is elected and qualified and assumes office in accordance
15 with RCW 29.04.170.

16 (2) Commissioner districts shall be used as follows: (a) Only a
17 registered voter who resides in a commissioner district may be a
18 candidate for, or hold office as, a commissioner of the commissioner
19 district; and (b) only voters of a commissioner district may vote at a
20 primary to nominate candidates for a commissioner of the commissioner
21 district. Voters of the entire public hospital district may vote at a
22 general election to elect a person as a commissioner of the
23 commissioner district.

24 If the proposed public hospital district is county-wide, and the
25 county has three county legislative authority districts, the county
26 legislative authority districts shall be used as public hospital
27 district commissioner districts. In all other instances the county
28 auditor of the county in which all or the largest portion of the
29 proposed public hospital district is located shall draw the initial
30 three public hospital district commissioner districts, each of which
31 shall constitute as nearly as possible one-third of the total
32 population of the proposed public hospital district and number the
33 districts one, two, and three. Each of the three commissioner
34 positions shall be numbered one through three and associated with the
35 district of the same number.

36 The public hospital district commissioners may redraw commissioner
37 districts, if the public hospital district has boundaries that are not
38 coterminous with the boundaries of a county with three county
39 legislative authority districts, so that each district comprises as

1 nearly as possible one-third of the total population of the public
2 hospital district. The commissioners of a public hospital district
3 that is not coterminous with the boundaries of a county that has three
4 county legislative authority districts shall redraw hospital district
5 commissioner boundaries as provided in chapter 29.70 RCW.

6 **Sec. 81.** RCW 70.44.045 and 1982 c 84 s 13 are each amended to read
7 as follows:

8 A vacancy in the office of commissioner shall occur as provided in
9 chapter 42.12 RCW or by ((death, resignation, removal, conviction of
10 felony,)) nonattendance at meetings of the commission for sixty days,
11 unless excused by the commission((, by any statutory disqualification,
12 by any permanent disability preventing the proper discharge of his
13 duty, or by creation of positions pursuant to RCW 70.44.051, et seq)).
14 A vacancy ((or vacancies on the board)) shall be filled ((by
15 appointment by the remaining commissioner or commissioners until the
16 next regular election for commissioners as provided by RCW 70.44.040:
17 PROVIDED, That if there is only one remaining commissioner, one vacancy
18 shall be filled by appointment by the remaining commissioner and the
19 remaining vacancy or vacancies shall be filled by appointment by the
20 then two commissioners and the appointed commissioners shall serve
21 until the next regular election for commissioners: PROVIDED FURTHER,
22 That if there is a vacancy of the entire board, a new board may be
23 appointed by the board of county commissioners or county council)) as
24 provided in chapter 42.12 RCW.

25 **Sec. 82.** RCW 70.44.053 and 1967 c 77 s 2 are each amended to read
26 as follows:

27 At any general or special election which may be called for that
28 purpose the board of public hospital district commissioners may, or on
29 petition of ten percent of the ((electors)) voters based on the total
30 vote cast in the last district general election in the public hospital
31 district shall, by resolution, submit to the voters of the district the
32 proposition increasing the number of commissioners to ((any number
33 authorized in RCW 70.44.051)) either five or seven members. The
34 petition or resolution shall specify whether it is proposed to increase
35 the number of commissioners to either five or seven members.

36 If the voters of the district approve the ballot proposition
37 authorizing the increase in the number of commissioners to either five

1 or seven members, the board of commissioners shall redistrict the
2 public hospital district into the appropriate number of commissioner
3 districts. The additional commissioners shall be elected from
4 commissioner districts in which no existing commissioner resides at the
5 next state general election occurring one hundred twenty days or more
6 after the date of the election at which the voters of the district
7 approved the ballot proposition authorizing the increase in the number
8 of commissioners. If needed, special filing periods shall be
9 authorized as provided in RCW 29.15.170 and 29.15.180 for qualified
10 persons to file for the vacant office. A primary shall be held to
11 nominate candidates if sufficient time exists to hold a primary and
12 more than two candidates file for the vacant office. Otherwise, a
13 primary shall not be held and the candidate receiving the greatest
14 number of votes for each position shall be elected. Except for the
15 initial terms of office, persons elected to each of these additional
16 commissioner positions shall be elected to a six-year term.

17 Where the number of commissioners is increased from three to five,
18 the initial terms of the two new commissioners shall be staggered so
19 that the person who is elected receiving the greatest number of votes
20 shall be elected to a six-year term of office if the election is held
21 in an odd-numbered year or a five-year term if the election is held in
22 an even-numbered year, and the other person elected shall be elected to
23 a four-year term of office if the election is held in an odd-numbered
24 year or a three-year term if the election is held in an even-numbered
25 year. The newly elected commissioners shall assume office as provided
26 in RCW 29.04.170.

27 Where the number of commissioners is increased from three or five
28 to seven, the county auditor of the county in which all or the largest
29 portion of the hospital district is located shall cause the initial
30 terms of office of the additional commissioners to be staggered over
31 the next three district general elections so that two commissioners
32 would normally be elected at the first district general election
33 following the election where the additional commissioners are elected,
34 two commissioners are normally elected at the second district general
35 election after the election of the additional commissioners, and three
36 commissioners are normally elected at the third district general
37 election following the election of the additional commissioners. The
38 newly elected commissioners shall assume office as provided in RCW
39 29.04.170.

1 **Sec. 83.** RCW 70.77.177 and 1984 c 249 s 6 are each amended to read
2 as follows:

3 "Local fire official" means the chief of a local fire department or
4 (~~fire protection district,~~) a chief fire protection officer or such
5 other person as may be designated by the governing body of a city(~~(~~)
6 or county(~~(~~~~or district)~~) to act as a local fire official under this
7 chapter.

8 NEW SECTION. **Sec. 84.** A new section is added to chapter 70.77 RCW
9 to read as follows:

10 "City" means any city or town.

11 **Sec. 85.** RCW 70.77.265 and 1984 c 249 s 12 are each amended to
12 read as follows:

13 The local fire official receiving an application for a permit under
14 RCW 70.77.260(1) shall investigate the application and submit a report
15 of findings and a recommendation for or against the issuance of the
16 permit, together with reasons, to the governing body of the city(~~(~~)
17 or county(~~(~~~~or fire protection district)~~)).

18 **Sec. 86.** RCW 70.77.270 and 1984 c 249 s 13 are each amended to
19 read as follows:

20 The governing body of a city(~~(~~) or county(~~(~~~~or fire protection~~
21 ~~district)~~) may grant or deny an application for a permit under RCW
22 70.77.260(1). The governing body may place reasonable conditions on
23 any permit it issues.

24 **Sec. 87.** RCW 70.77.280 and 1984 c 249 s 14 are each amended to
25 read as follows:

26 The local fire official receiving an application for a permit under
27 RCW 70.77.260(2) for a public display of fireworks shall investigate
28 whether the character and location of the display as proposed would be
29 hazardous to property or dangerous to any person. Based on the
30 investigation, the official shall submit a report of findings and a
31 recommendation for or against the issuance of the permit, together with
32 reasons, to the governing body of the city(~~(~~) or county(~~(~~~~or fire~~
33 ~~protection district)~~)). The governing body may grant or deny the
34 application and may place reasonable conditions on any permit it
35 issues.

1 **Sec. 88.** RCW 70.77.355 and 1986 c 266 s 105 are each amended to
2 read as follows:

3 (1) Any adult person may secure a general license from the director
4 of community development, through the director of fire protection, for
5 the public display of fireworks within the state of Washington. A
6 general license is subject to the provisions of this chapter relative
7 to the securing of local permits for the public display of fireworks in
8 any city((~~7~~)) or county((~~7~~, ~~or fire protection district~~)), except that
9 in lieu of filing the bond or certificate of public liability insurance
10 with the appropriate local official under RCW 70.77.260 as required in
11 RCW 70.77.285, the same bond or certificate shall be filed with the
12 director of community development, through the director of fire
13 protection. The bond or certificate of insurance for a general license
14 in addition shall provide that: (a) The insurer will not cancel the
15 insured's coverage without fifteen days prior written notice to the
16 director of community development, through the director of fire
17 protection; (b) the duly licensed pyrotechnic operator required by law
18 to supervise and discharge the public display, acting either as an
19 employee of the insured or as an independent contractor and the state
20 of Washington, its officers, agents, employees, and servants are
21 included as additional insureds, but only insofar as any operations
22 under contract are concerned; and (c) the state is not responsible for
23 any premium or assessments on the policy.

24 (2) The director of community development, through the director of
25 fire protection, may issue such general licenses. The holder of a
26 general license shall file a certificate from the director of community
27 development, through the director of fire protection, evidencing the
28 license with any application for a local permit for the public display
29 of fireworks under RCW 70.77.260.

30 **Sec. 89.** RCW 70.77.450 and 1986 c 266 s 113 are each amended to
31 read as follows:

32 The director of community development, through the director of fire
33 protection, may make an examination of the books and records of any
34 licensee, or other person relative to fireworks, and may visit and
35 inspect the premises of any licensee he may deem at any time necessary
36 for the purpose of enforcing the provisions of this chapter. The
37 licensee, owner, lessee, manager, or operator of any such building or
38 premises shall permit the director of community development, through

1 the director of fire protection, his or her deputies(~~(, his or her)~~) or
2 salaried assistants (~~(and the chief of any city or county fire~~
3 ~~department or fire protection district)~~), the local fire official, and
4 their authorized representatives to enter and inspect the premises at
5 the time and for the purpose stated in this section.

6 **Sec. 90.** RCW 70.95A.030 and 1973 c 132 s 4 are each amended to
7 read as follows:

8 In addition to any other powers which it may now have, each
9 municipality shall have the following powers:

10 (1) To acquire, whether by construction, purchase, devise, gift or
11 lease, or any one or more of such methods, one or more facilities which
12 shall be located within, or partially within the municipality. Each
13 facility must have a separate value to the municipality beyond its
14 potential use to an entity that has leased the facility from the
15 municipality;

16 (2) To lease, lease with option to purchase, sell or sell by
17 installment sale, any or all of the facilities upon such terms and
18 conditions as the governing body may deem advisable but which shall
19 (~~at least~~) more than fully reimburse the municipality for all debt
20 service on any bonds issued to finance the facilities and for all costs
21 incurred by the municipality in financing and operating the facilities
22 and as shall not conflict with the provisions of this chapter. The
23 term of each lease must be less than the term of the municipality's
24 ownership in the leased facility by at least one month;

25 (3) To issue revenue bonds for the purpose of defraying the cost of
26 acquiring or improving any facility or facilities or refunding any
27 bonds issued for such purpose and to secure the payment of such bonds
28 as provided in this chapter. Revenue bonds may be issued in one or
29 more series or issues where deemed advisable, and each such series or
30 issue may have the same or different maturity dates, interest rates,
31 priorities on revenues available for payment of such bonds and
32 priorities on security available for assuring payment thereof, and such
33 other differing terms and conditions as are deemed necessary and are
34 not in conflict with the provisions of this chapter.

35 **Sec. 91.** RCW 70.95A.060 and 1973 c 132 s 7 are each amended to
36 read as follows:

1 Prior to the issuance of the bonds authorized by this chapter, the
2 municipality may lease the facilities to a lessee or lessees under an
3 agreement providing for payment to the municipality of such rentals as
4 will be more than sufficient (a) to pay the principal of and interest
5 on the bonds issued to finance the facilities, (b) to pay the taxes on
6 the facilities, (c) to build up and maintain any reserves deemed by the
7 governing body to be advisable in connection therewith, and (d) unless
8 the agreement of lease obligates the lessees to pay for the maintenance
9 and insurance of the facilities, to pay the costs of maintaining the
10 facilities in good repair and keeping the same properly insured.
11 Subject to the limitations of this chapter, the lease or extensions or
12 modifications thereof may contain such other terms and conditions as
13 may be mutually acceptable to the parties(~~(, and)~~). The term of the
14 lease must be less than the term of the municipality's ownership in the
15 leased facility by at least one month. Notwithstanding any other
16 provisions of law relating to the sale of property owned by
17 municipalities, such lease may contain an option for the lessees to
18 purchase the facilities on such terms and conditions with or without
19 consideration as may be mutually acceptable to the parties.

20 **Sec. 92.** RCW 84.09.030 and 1989 c 378 s 8 and 1989 c 217 s 1 are
21 each reenacted and amended to read as follows:

22 Except as follows, the boundaries of counties, cities and all other
23 taxing districts, for purposes of property taxation and the levy of
24 property taxes, shall be the established official boundaries of such
25 districts existing on the first day of March of the year in which the
26 property tax levy is made.

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

30 (1) Boundaries for a newly incorporated city shall be established
31 on the last day of March of the year in which the initial property tax
32 levy is made, and the boundaries of a road district, library district,
33 or fire protection district or districts, that include any portion of
34 the area that was incorporated within its boundaries shall be altered
35 as of this date to exclude this area, if the budget for the newly
36 incorporated city is filed pursuant to RCW 84.52.020 and the levy
37 request of the newly incorporated city is made pursuant to RCW
38 84.52.070. Whenever a proposed city incorporation is on the March

1 special election ballot, the county auditor shall submit the legal
2 description of the proposed city to the department of revenue on or
3 before the first day of March;

4 (2) Boundaries for a newly incorporated port district shall be
5 established on the first day of October if the boundaries of the newly
6 incorporated port district are coterminous with the boundaries of
7 another taxing district, as they existed on the first day of March of
8 that year;

9 (3) Boundaries of any other newly incorporated taxing district
10 shall be established on the first day of June of the year in which the
11 property tax levy is made if the taxing district has boundaries
12 coterminous with the boundaries of another taxing district, as they
13 existed on the first day of March of that year.

14 The boundaries of a taxing district shall be established on the
15 first day of June if territory has been added to, or removed from, the
16 taxing district after the first day of March of that year with
17 boundaries coterminous with the boundaries of another taxing district
18 as they existed on the first day of March of that year. However, the
19 boundaries of a road district, library district, or fire protection
20 district or districts, that include any portion of the area that was
21 annexed to a city or town within its boundaries shall be altered as of
22 this date to exclude this area. In any case where any instrument
23 setting forth the official boundaries of any newly established taxing
24 district, or setting forth any change in such boundaries, is required
25 by law to be filed in the office of the county auditor or other county
26 official, said instrument shall be filed in triplicate. The officer
27 with whom such instrument is filed shall transmit two copies to the
28 county assessor.

29 (4) The boundaries of a newly incorporated water district formed as
30 a result of a special election held in March shall be established as of
31 the first day of June next following the election.

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

35 NEW SECTION. Sec. 93. A new section is added to chapter 84.52 RCW
36 to read as follows:

37 (1) Annually, at the time required by law for the levying of taxes
38 for county purposes, the proper county officers required by law to make

1 and enter such tax levies shall make and enter a tax levy or levies as
2 follows:

3 (a) A levy upon all of the taxable property within the county for
4 the amount of all taxes levied by the county for county or state
5 purposes that were:

6 (i) Canceled as uncollectible pursuant to RCW 84.56.240 within the
7 preceding twelve months; or

8 (ii) Not collected because of changes made after final
9 certification of the assessment roll.

10 (b) A levy upon all of the taxable property of each taxing district
11 within the county for the amount of all taxes levied by the county for
12 the purposes of such taxing district that were:

13 (i) Canceled as uncollectible pursuant to RCW 84.56.240 within the
14 preceding twelve months; or

15 (ii) Not collected because of changes made after final
16 certification of the assessment roll.

17 (2) For purposes of this section, "changes" means increases or
18 decreases in assessed value of property resulting from an error or
19 final adjustments made by a county board of equalization, the state
20 board of tax appeals, or a court of competent jurisdiction, including
21 changes reflecting settlements of proceedings in such board or court.
22 "Changes" does not include changes in assessed value of property
23 resulting from actions brought to recover taxes under RCW 84.68.020.

24 **Sec. 94.** RCW 84.36.381 and 1992 c 187 s 1 are each amended to read
25 as follows:

26 A person shall be exempt from any legal obligation to pay all or a
27 portion of the amount of excess and regular real property taxes due and
28 payable in the year following the year in which a claim is filed, and
29 thereafter, in accordance with the following:

30 (1) The property taxes must have been imposed upon a residence
31 which was occupied by the person claiming the exemption as a principal
32 place of residence as of January 1st of the year for which the
33 exemption is claimed: PROVIDED, That any person who sells, transfers,
34 or is displaced from his or her residence may transfer his or her
35 exemption status to a replacement residence, but no claimant shall
36 receive an exemption on more than one residence in any year: PROVIDED
37 FURTHER, That confinement of the person to a hospital or nursing home
38 shall not disqualify the claim of exemption if:

1 (a) The residence is temporarily unoccupied ((~~or if~~));

2 (b) The residence is occupied by a spouse and/or a person
3 financially dependent on the claimant for support; or

4 (c) The residence is rented for the purpose of paying nursing home
5 or hospital costs;

6 (2) The person claiming the exemption must have owned, at the time
7 of filing, in fee, as a life estate, or by contract purchase, the
8 residence on which the property taxes have been imposed or if the
9 person claiming the exemption lives in a cooperative housing
10 association, corporation, or partnership, such person must own a share
11 therein representing the unit or portion of the structure in which he
12 or she resides. For purposes of this subsection, a residence owned by
13 a marital community or owned by cotenants shall be deemed to be owned
14 by each spouse or cotenant, and any lease for life shall be deemed a
15 life estate;

16 (3) The person claiming the exemption must be sixty-one years of
17 age or older on December 31st of the year in which the exemption claim
18 is filed, or must have been, at the time of filing, retired from
19 regular gainful employment by reason of physical disability: PROVIDED,
20 That any surviving spouse of a person who was receiving an exemption at
21 the time of the person's death shall qualify if the surviving spouse is
22 fifty-seven years of age or older and otherwise meets the requirements
23 of this section;

24 (4) The amount that the person shall be exempt from an obligation
25 to pay shall be calculated on the basis of combined disposable income,
26 as defined in RCW 84.36.383. If the person claiming the exemption was
27 retired for two months or more of the preceding year, the combined
28 disposable income of such person shall be calculated by multiplying the
29 average monthly combined disposable income of such person during the
30 months such person was retired by twelve. If the income of the person
31 claiming exemption is reduced for two or more months of the preceding
32 year by reason of the death of the person's spouse, the combined
33 disposable income of such person shall be calculated by multiplying the
34 average monthly combined disposable income of such person after the
35 death of the spouse by twelve.

36 (5)(a) A person who otherwise qualifies under this section and has
37 a combined disposable income of twenty-six thousand dollars or less
38 shall be exempt from all excess property taxes; and

1 (b)(i) A person who otherwise qualifies under this section and has
2 a combined disposable income of eighteen thousand dollars or less but
3 greater than fifteen thousand dollars shall be exempt from all regular
4 property taxes on the greater of thirty thousand dollars or thirty
5 percent of the valuation of his or her residence, but not to exceed
6 fifty thousand dollars of the valuation of his or her residence; or

7 (ii) A person who otherwise qualifies under this section and has a
8 combined disposable income of fifteen thousand dollars or less shall be
9 exempt from all regular property taxes on the greater of thirty-four
10 thousand dollars or fifty percent of the valuation of his or her
11 residence.

12 NEW SECTION. **Sec. 95.** Section 93 of this act is effective for
13 taxes levied for collection in 1993 and thereafter.

14 **Sec. 96.** RCW 54.16.030 and 1955 c 390 s 4 are each amended to read
15 as follows:

16 A district may construct, purchase, condemn and purchase, acquire,
17 add to, maintain, conduct, and operate water works and irrigation
18 plants and systems, within or without its limits, for the purpose of
19 furnishing the district, and the inhabitants thereof, and any other
20 persons including public and private corporations within or without its
21 limits, with an ample supply of water for all purposes, public and
22 private, including water power, domestic use, and irrigation, with full
23 and exclusive authority to sell and regulate and control the use,
24 distribution, and price thereof. The district may exercise all powers
25 granted to water districts pursuant to chapter 57.08 RCW that are not
26 inconsistent with the express provisions of this title.

27 NEW SECTION. **Sec. 97.** A new section is added to chapter 35.21 RCW
28 to read as follows:

29 The council of a city or town that has territory included in two
30 counties may adopt an ordinance creating an urban emergency medical
31 service district in all of the portion of the city or town that is
32 located in one of the two counties if: (1) The county in which the
33 urban emergency medical service district is located does not impose an
34 emergency medical service levy authorized under RCW 84.52.069; and (2)
35 the other county in which the city or town is located does impose an
36 emergency medical service levy authorized under RCW 84.52.069. The

1 ordinance creating the district may only be adopted after a public
2 hearing has been held on the creation of the district and the council
3 makes a finding that it is in the public interest to create the
4 district. The members of the city or town council, acting in an ex
5 officio capacity and independently, shall compose the governing body of
6 the urban emergency medical service district. The voters of an urban
7 emergency medical service district shall be all registered voters
8 residing within the urban emergency medical service district.

9 An urban emergency medical service district shall be a quasi-
10 municipal corporation and an independent taxing "authority" within the
11 meaning of Article VII, section 1 of the state Constitution. Urban
12 emergency medical service districts shall also be "taxing authorities"
13 within the meaning of Article VII, section 2 of the state Constitution.

14 An urban emergency medical service district shall have the
15 authority to contract under chapter 39.34 RCW with a county, city,
16 town, fire protection district, public hospital district, or emergency
17 medical service district to have emergency medical services provided
18 within its boundaries.

19 Territory located in the same county as an urban emergency medical
20 service district that is annexed by the city or town shall
21 automatically be annexed to the urban emergency medical service
22 district.

23 **Sec. 98.** RCW 84.52.069 and 1991 c 175 s 1 are each amended to read
24 as follows:

25 (1) As used in this section, "taxing district" means a county,
26 emergency medical service district, city or town, public hospital
27 district, urban emergency medical service district, or fire protection
28 district.

29 (2) A taxing district may impose additional regular property tax
30 levies in an amount equal to fifty cents or less per thousand dollars
31 of the assessed value of property in the taxing district in each year
32 for six consecutive years when specifically authorized so to do by a
33 majority of at least three-fifths of the registered voters thereof
34 approving a proposition authorizing the levies submitted at a general
35 or special election, at which election the number of persons voting
36 "yes" on the proposition shall constitute three-fifths of a number
37 equal to forty per centum of the total (~~votes cast~~) number of voters
38 voting in such taxing district at the last preceding general election

1 when the number of registered voters voting on the proposition does not
2 exceed forty per centum of the total (~~(votes east)~~) number of voters
3 voting in such taxing district in the last preceding general election;
4 or by a majority of at least three-fifths of the registered voters
5 thereof voting on the proposition when the number of registered voters
6 voting on the proposition exceeds forty per centum of the total (~~(votes~~
7 ~~east)~~) number of voters voting in such taxing district in the last
8 preceding general election. Ballot propositions shall conform with RCW
9 29.30.111.

10 (3) Any tax imposed under this section shall be used only for the
11 provision of emergency medical care or emergency medical services,
12 including related personnel costs, training for such personnel, and
13 related equipment, supplies, vehicles and structures needed for the
14 provision of emergency medical care or emergency medical services.

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

1 service levy, shall expire concurrently with the county emergency
2 medical service levy.

3 (5) The tax levy authorized in this section is in addition to the
4 tax levy authorized in RCW 84.52.043.

5 (6) The limitation in RCW 84.55.010 shall not apply to the first
6 levy imposed pursuant to this section following the approval of such
7 levy by the voters pursuant to subsection (2) of this section.

8 (7) No taxing district may levy under this section more than
9 twenty-five cents per thousand dollars of assessed value of property if
10 reductions under RCW 84.52.010(2) are made for the year within the
11 boundaries of the taxing district.

12 **Sec. 99.** RCW 53.12.010 and 1992 c 146 s 1 are each amended to read
13 as follows:

14 The powers of the port district shall be exercised through a port
15 commission consisting of three or, when permitted by this title, five
16 members. Every port district that is not coextensive with a county
17 having a population of five hundred thousand or more shall be divided
18 into ~~((three))~~ the same number of commissioner districts as there are
19 commissioner positions, each having approximately equal population.
20 Where a port district with three commissioner positions is coextensive
21 with the boundaries of a county that has a population of less than five
22 hundred thousand and the county has three county legislative authority
23 districts, the port ~~((district))~~ commissioner districts shall be the
24 county legislative authority districts. In other instances where a
25 port district is divided into commissioner districts, the ~~((petition~~
26 ~~proposing the formation of such a))~~ port commission shall divide the
27 port district ~~((shall describe three))~~ into commissioner districts
28 ~~((each having approximately the same population and))~~ unless the
29 commissioner districts have been described pursuant to section 101 of
30 this act. The commissioner districts shall be altered as provided in
31 chapter 53.16 RCW.

32 Commissioner districts shall be used as follows: (1) Only a
33 registered voter who resides in a commissioner district may be a
34 candidate for, or hold office as, a commissioner of the commissioner
35 district; and (2) only the voters of a commissioner district may vote
36 at a primary ~~((election))~~ to nominate candidates for a commissioner of
37 the commissioner district. Voters of the entire port district may vote

1 at a general election to elect a person as a commissioner of the
2 commissioner district.

3 ~~((In port districts having additional commissioners as authorized
4 by RCW 53.12.120, 53.12.130, and 53.12.115, the powers of the port
5 district shall be exercised through a port commission consisting of
6 five members constituted as provided therein.))~~

7 NEW SECTION. **Sec. 100.** A new section is added to chapter 53.12
8 RCW to read as follows:

9 Any less than county-wide port district that uses commissioner
10 districts may cease using commissioner districts as provided in this
11 section.

12 The commissioners of a less than county-wide port district that is
13 divided into commissioner districts may adopt a resolution eliminating
14 the use of commissioner districts in the port district. A copy of the
15 resolution shall be transmitted to the county auditor. Commissioner
16 districts shall not be used in that port district commencing at the
17 next district election occurring one hundred twenty or more days after
18 the county auditor receives a copy of the resolution.

19 A ballot proposition authorizing the elimination of commissioner
20 districts shall be submitted to the voters of a less than county-wide
21 port district that is divided into commissioner districts if a petition
22 is submitted to the port commission proposing that the port district
23 cease using commissioner districts, that is signed by registered voters
24 of the port district equal in number to at least ten percent of the
25 number of voters who voted at the last district general election. The
26 port commission shall transfer the petition immediately to the county
27 auditor who shall review the signatures and certify its sufficiency.
28 A ballot proposition authorizing the elimination of commissioner
29 districts shall be submitted at the next district general election
30 occurring sixty or more days after a petition with sufficient
31 signatures was submitted. If the ballot proposition authorizing the
32 port district to cease using commissioner districts is approved by a
33 simple majority vote, the port district shall cease using commissioner
34 districts at all subsequent elections. The port commission may adopt
35 a resolution eliminating the use of commissioner districts in lieu of
36 having the ballot proposition submitted to district voters.

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 53.04
2 RCW to read as follows:

3 Three commissioner districts, each with approximately the same
4 population, shall be described in the petition proposing the creation
5 of a port district under RCW 53.04.020, if the process to create the
6 port district was initiated by voter petition, or shall be described by
7 the county legislative authority, if the process to initiate the
8 creation of the port district was by action of the county legislative
9 authority. However, commissioner districts shall not be described if
10 the commissioner districts of the proposed port district shall be the
11 same as the county legislative authority districts.

12 The initial port commissioners shall be elected as provided in RCW
13 53.12.172.

14 **Sec. 102.** RCW 53.04.023 and 1992 c 147 s 2 are each amended to
15 read as follows:

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

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

31 A public hearing on creation of the proposed port district shall be
32 held by the county legislative authority if the county auditor
33 certifies that the petition contained sufficient valid signatures.
34 Notice of the public hearing must be published in the county's official
35 newspaper at least ten days prior to the date of the public hearing.
36 After taking testimony, the county legislative authority may make
37 changes in the boundaries of the proposed port district if it finds
38 that such changes are in the public interest and shall determine if the

1 creation of the port district is in the public interest. No area may
2 be added to the boundaries unless a subsequent public hearing is held
3 on the proposed port district.

4 The county legislative authority shall submit a ballot proposition
5 authorizing the creation of the proposed port district to the voters of
6 the proposed port district, at any special election date provided in
7 RCW 29.13.020, if it finds the creation of the port district to be in
8 the public interest.

9 The port district shall be created if a majority of the voters
10 voting on the ballot proposition favor the creation of the port
11 district. The initial port commissioners shall be elected at the same
12 election, from districts or at large, as provided in the petition
13 initiating the creation of the port district. The election shall be
14 otherwise conducted as provided in RCW ((53.12.050)) 53.12.172, but the
15 election of commissioners shall be null and void if the port district
16 is not created. ((~~Commissioner districts shall not be used in the~~
17 ~~initial election of the port commissioners.~~))

18 This section shall expire July 1, 1997.

19 **Sec. 103.** RCW 53.12.172 and 1992 c 146 s 2 are each reenacted and
20 amended to read as follows:

21 (1) In every port district the term of office of each port
22 commissioner shall be four years in each port district that is county-
23 wide with a population of one hundred thousand or more, or either six
24 or four years in all other port districts as provided in RCW 53.12.175,
25 and until a successor is elected and qualified and assumes office in
26 accordance with RCW 29.04.170.

27 (2) The initial port commissioners shall be elected at the same
28 election as when the ballot proposition is submitted to voters
29 authorizing the creation of the port district. If the port district is
30 created the persons elected at this election shall serve as the initial
31 port commission. No primary shall be held. The person receiving the
32 greatest number of votes for commissioner from each commissioner
33 district shall be elected as the commissioner of that district.

34 (3) The terms of office of the initial port commissioners shall be
35 staggered as follows in a port district that is county-wide with a
36 population of one hundred thousand or more: ((+1)) (a) The two
37 persons who are elected receiving the two greatest numbers of votes
38 shall be elected to four-year terms of office if the election is held

1 in an odd-numbered year, or three-year terms of office if the election
2 is held in an even-numbered year, and shall hold office until
3 successors are elected and qualified and assume office in accordance
4 with RCW 29.04.170; and ~~((+2))~~ (b) the other person who is elected
5 shall be elected to a two-year term of office if the election is held
6 in an odd-numbered year, or a one-year term of office if the election
7 is held in an even-numbered year, and shall hold office until a
8 successor is elected and qualified and assumes office in accordance
9 with RCW 29.04.170.

10 (4) The terms of office of the initial port commissioners in all
11 other port districts shall be staggered as follows: (a) The person who
12 is elected receiving the greatest number of votes shall be elected to
13 a six-year term of office if the election is held in an odd-numbered
14 year or to a five-year term of office if the election is held in an
15 even-numbered year, and shall hold office until a successor is elected
16 and qualified and assumes office in accordance with RCW 29.04.170; (b)
17 the person who is elected receiving the next greatest number of votes
18 shall be elected to a four-year term of office if the election is held
19 in an odd-numbered year or to a three-year term of office if the
20 election is held in an even-numbered year, and shall hold office until
21 a successor is elected and qualified and assumes office in accordance
22 with RCW 29.04.170; and (c) the other person who is elected shall be
23 elected to a two-year term of office if the election is held in an odd-
24 numbered year or a one-year term of office if the election is held in
25 an even-numbered year, and shall hold office until a successor is
26 elected and qualified and assumes office in accordance with RCW
27 29.04.170.

28 (5) The initial port commissioners shall take office immediately
29 after being elected and qualified, but the length of their terms shall
30 be calculated from the first day in January in the year following their
31 elections.

32 **Sec. 104.** RCW 53.12.115 and 1992 c 146 s 7 are each amended to
33 read as follows:

34 A ballot proposition shall be submitted to the voters of any port
35 district authorizing an increase in the number of port commissioners to
36 five whenever the port commission adopts a resolution proposing the
37 increase in number of port commissioners or a petition ~~((requesting))~~
38 proposing such an increase has been submitted to the county auditor of

1 the county in which the port district is located that has been signed
2 by voters of the port district at least equal in number to ten percent
3 of the number of voters in the port district who voted at the last
4 general election. The ballot proposition shall be submitted at the
5 next general or special election occurring sixty or more days after the
6 petition was submitted or resolution was adopted.

7 At the next general or special election following the election in
8 which an increase in the number of port commissioners was authorized,
9 candidates for the two additional port commissioner positions shall be
10 elected as provided in RCW 53.12.130.

11 **Sec. 105.** RCW 53.12.120 and 1992 c 146 s 8 are each amended to
12 read as follows:

13 When the population of a port district that has three commissioners
14 reaches five hundred thousand, in accordance with the latest United
15 States regular or special census or with the official state population
16 estimate, there shall be submitted to the voters of the district, at
17 the next district general election or at a special port election called
18 for that purpose, the proposition of increasing the number of
19 commissioners to five. ~~((At any general election thereafter, the same
20 proposition may be submitted by resolution of the port commissioners,
21 by filing a certified copy of the resolution with the county auditor at
22 least four months prior to the general election. If the proposition is
23 approved by the voters, the commission in that port district shall
24 consist of five commissioners.))~~

25 At the next district general election following the election in
26 which an increase in the number of port commissioners was authorized,
27 candidates for the two additional port commissioner positions shall be
28 elected as provided in RCW 53.12.130.

29 **Sec. 106.** RCW 53.12.130 and 1992 c 146 s 9 are each amended to
30 read as follows:

31 Two additional port commissioners shall be elected at the next
32 district general election following the election at which voters
33 authorized the increase in port commissioners to five members. ~~((The
34 two additional positions shall be numbered positions four and five.))~~

35 The port commissioners shall divide the port district into five
36 commissioner districts prior to the first day of June in the year in
37 which the two additional commissioners shall be elected. The new

1 commissioner districts shall be numbered one through five and the three
2 incumbent commissioners shall represent commissioner districts one
3 through three. If, as a result of redrawing the district boundaries
4 two or three of the incumbent commissioners reside in one of the new
5 commissioner districts, the commissioners who reside in the same
6 commissioner district shall determine by lot which of the first three
7 numbered commissioner districts they shall represent for the remainder
8 of their respective terms. A primary shall be held to nominate
9 candidates from districts four and five where necessary and
10 commissioners shall be elected from commissioner districts four and
11 five at the general election. The persons ((receiving the highest
12 number of votes for each position shall be elected to that position
13 and)) elected as commissioners from commissioner districts four and
14 five shall take office immediately after qualification as defined under
15 RCW 29.01.135.

16 In a port district where commissioners are elected to four-year
17 terms of office, the additional commissioner thus elected receiving the
18 highest number of votes shall be elected to a four-year term of office
19 and the other additional commissioner thus elected shall be elected to
20 a term of office of two years, if the election ((were)) is held in an
21 odd-numbered year, or the additional commissioner thus elected
22 receiving the highest number of votes shall be elected to a term of
23 office of three years and the other shall be elected to a term of
24 office of one year, if the election ((were)) is held in an even-
25 numbered year. In a port district where the commissioners are elected
26 to six-year terms of office, the additional commissioner thus elected
27 receiving the highest number of votes shall be elected to a six-year
28 term of office and the other additional commissioner shall be elected
29 to a four-year term of office, if the election is held in an odd-
30 numbered year, or the additional commissioner receiving the highest
31 number of votes shall be elected to a term of office of five-years and
32 the other shall be elected to a three-year term of office, if the
33 election is held in an even-numbered year. The length of terms of
34 office shall be computed from the first day of January in the year
35 following this election.

36 ((A successor to a commissioner holding position four or five whose
37 term is about to expire, shall be elected at the general election next
38 preceding such expiration, for a)) Successor commissioners from
39 districts four and five shall be elected to terms of either six or four

1 years, depending on the length of terms of office to which
2 commissioners of that port district are elected. (~~Positions four and~~
3 ~~five shall not be associated with a commissioner district and the~~
4 ~~elections to both nominate candidates for those positions and elect~~
5 ~~commissioners for these positions shall be held on a port district wide~~
6 ~~basis.~~)

7 **Sec. 107.** RCW 53.12.175 and 1992 c 146 s 3 are each amended to
8 read as follows:

9 A ballot proposition to reduce the terms of office of port
10 commissioners from six years to four years shall be submitted to the
11 voters of any port district that otherwise would have commissioners
12 with six-year terms of office upon either resolution of the port
13 commissioners or petition of voters of the port district proposing the
14 reduction in terms of office, which petition has been signed by voters
15 of the port district equal in number to at least ten percent of the
16 number of voters in the port district voting at the last (~~district~~)
17 general election. The petition shall be submitted to the county
18 auditor. If the petition was signed by sufficient valid signatures,
19 the ballot proposition shall be submitted at the next (~~district~~)
20 general or special election that occurs sixty or more days after the
21 adoption of the resolution or submission of the petition.

22 If the ballot proposition reducing the terms of office of port
23 commissioners is approved by a simple majority vote of the voters
24 voting on the proposition, the commissioner or commissioners who are
25 elected at that election shall be elected to four-year terms of office.
26 The terms of office of the other commissioners shall not be reduced,
27 but each successor shall be elected to a four-year term of office.

28 **Sec. 108.** RCW 53.16.015 and 1992 c 146 s 10 are each amended to
29 read as follows:

30 (~~In a port district that is not coterminous with a county that has~~
31 ~~three county legislative authority districts and that has port~~
32 ~~commissioner districts,~~) The port commission of a port district that
33 uses commissioner districts may redraw the commissioner district
34 boundaries as provided in chapter 29.70 RCW at any time and submit the
35 redrawn boundaries to the county auditor if the port district is not
36 coterminous with a county that has the same number of county
37 legislative authority districts as the port has port commissioners.

1 The new commissioner districts shall be used at the next election at
2 which a port commissioner is regularly elected that occurs at least one
3 hundred eighty days after the redrawn boundaries have been submitted.
4 Each commissioner district shall encompass as nearly as possible (~~one-~~
5 ~~third of the population of the port district~~) the same population.

6 NEW SECTION. **Sec. 109.** The following acts or parts of acts are
7 each repealed:

- 8 (1) RCW 35.23.070 and 1965 c 7 s 35.23.070;
- 9 (2) RCW 35.24.070 and 1965 c 7 s 35.24.070;
- 10 (3) RCW 35.27.110 and 1965 c 7 s 35.27.110;
- 11 (4) RCW 35.61.060 and 1985 c 416 s 2 & 1965 c 7 s 35.61.069;
- 12 (5) RCW 35.61.070 and 1965 c 7 s 35.61.070;
- 13 (6) RCW 35.61.080 and 1965 c 7 s 35.61.080;
- 14 (7) RCW 35A.02.001 and 1989 c 84 s 35;
- 15 (8) RCW 35A.02.100 and 1967 ex.s. c 119 s 35A.02.100;
- 16 (9) RCW 35A.02.110 and 1979 ex.s. c 18 s 9 & 1967 ex.s. c 119 s
17 35A.02.110;
- 18 (10) RCW 35A.14.060 and 1967 ex.s. c 119 s 35A.14.060;
- 19 (11) RCW 35A.15.030 and 1967 ex.s. c 119 s 35A.15.030;
- 20 (12) RCW 35A.16.020 and 1967 ex.s. c 119 s 35A.16.020;
- 21 (13) RCW 35A.29.010 and 1967 ex.s. c 119 s 35A.29.010;
- 22 (14) RCW 35A.29.020 and 1967 ex.s. c 119 s 35A.29.020;
- 23 (15) RCW 35A.29.030 and 1967 ex.s. c 119 s 35A.29.030;
- 24 (16) RCW 35A.29.040 and 1967 ex.s. c 119 s 35A.29.040;
- 25 (17) RCW 35A.29.050 and 1967 ex.s. c 119 s 35A.29.050;
- 26 (18) RCW 35A.29.060 and 1967 ex.s. c 119 s 35A.29.060;
- 27 (19) RCW 35A.29.070 and 1967 ex.s. c 119 s 35A.29.070;
- 28 (20) RCW 35A.29.080 and 1967 ex.s. c 119 s 35A.29.080;
- 29 (21) RCW 35A.29.090 and 1986 c 234 s 32 & 1985 c 281 s 27;
- 30 (22) RCW 35A.29.100 and 1967 ex.s. c 119 s 35A.29.100;
- 31 (23) RCW 35A.29.105 and 1990 c 59 s 106 & 1967 ex.s. c 119 s
32 35A.29.105;
- 33 (24) RCW 35A.29.110 and 1990 c 59 s 107, 1986 c 167 s 21, 1979
34 ex.s. c 18 s 30, 1970 ex.s. c 52 s 4, & 1967 ex.s. c 119 s 35A.29.110;
- 35 (25) RCW 35A.29.140 and 1967 ex.s. c 119 s 35A.29.140;
- 36 (26) RCW 35A.29.150 and 1970 ex.s. c 52 s 5 & 1967 ex.s. c 119 s
37 35A.29.150;

- 1 (27) RCW 36.54.080 and 1973 1st ex.s. c 195 s 36 & 1963 c 4 s
2 36.54.080;
- 3 (28) RCW 36.54.090 and 1963 c 4 s 36.54.090;
- 4 (29) RCW 36.54.100 and 1963 c 4 s 36.54.100;
- 5 (30) RCW 36.69.060 and 1963 c 4 s 36.69.060;
- 6 (31) RCW 44.70.010 and 1987 c 298 s 7;
- 7 (32) RCW 53.12.047 and 1992 c 146 s 6;
- 8 (33) RCW 53.12.150 and 1990 c 40 s 1, 1985 c 87 s 1, 1983 c 11 s 1,
9 1959 c 175 s 8, & 1959 c 17 s 8;
- 10 (34) RCW 57.02.060 and 1982 1st ex.s. c 17 s 6;
- 11 (35) RCW 68.52.240 and 1947 c 6 s 16;
- 12 (36) RCW 70.44.051 and 1967 c 77 s 1;
- 13 (37) RCW 70.44.055 and 1967 c 77 s 3; and
- 14 (38) RCW 70.44.057 and 1967 c 77 s 4.

15 NEW SECTION. **Sec. 110.** Sections 40 and 92 of this act are
16 necessary for the immediate preservation of the public peace, health,
17 or safety, or support of the state government and its existing public
18 institutions, and shall take effect immediately."

19 **ESHB 1464** - S COMM AMD
20 By Committee on Government Operations

21 ADOPTED AS AMENDED BY S-3279.1, S-3132.4, S-3233.1

22 On page 1, line 1 of the title, after "government;" strike the
23 remainder of the title and insert "amending RCW 42.12.010, 43.06.010,
24 14.08.304, 28A.315.520, 29.15.050, 29.15.120, 29.15.150, 29.15.160,
25 29.15.170, 29.15.200, 29.21.015, 35.17.020, 35.17.400, 35.18.020,
26 35.18.270, 35.23.050, 35.23.240, 35.23.530, 35.24.050, 35.24.060,
27 35.24.100, 35.24.290, 35.27.100, 35.27.140, 35.61.050, 35A.01.070,
28 35A.02.050, 35A.02.130, 35A.06.020, 35A.06.030, 35A.06.050, 35A.12.010,
29 35A.12.040, 35A.12.050, 35A.12.060, 35A.12.180, 35A.13.010, 35A.13.020,
30 35A.14.060, 35A.14.070, 35A.15.040, 35A.16.030, 36.69.020, 36.69.070,
31 36.69.080, 36.69.090, 36.69.100, 36.69.440, 36.105.010, 36.105.020,
32 36.105.030, 52.14.010, 52.14.015, 52.14.030, 52.14.050, 52.14.060,
33 53.12.140, 54.08.060, 54.12.010, 54.40.070, 56.12.020, 56.12.030,
34 57.02.050, 57.12.020, 57.12.030, 57.12.039, 57.32.022, 57.32.023,
35 68.52.100, 68.52.140, 68.52.160, 68.52.220, 70.44.040, 70.44.045,
36 70.44.053, 70.77.177, 70.77.265, 70.77.270, 70.77.280, 70.77.355,

1 70.77.450, 70.95A.030, 70.95A.060, 84.36.381, 54.16.030, 84.52.069,
2 53.12.010, 53.04.023, 53.12.115, 53.12.120, 53.12.130, 53.12.175, and
3 53.16.015; reenacting and amending RCW 84.09.030 and 53.12.172; adding
4 a new section to chapter 42.12 RCW; adding new sections to chapter
5 29.15 RCW; adding a new section to chapter 35.02 RCW; adding a new
6 section to chapter 35A.29 RCW; adding a new section to chapter 56.12
7 RCW; adding a new section to chapter 68.52 RCW; adding a new section to
8 chapter 70.77 RCW; adding a new section to chapter 84.52 RCW; adding a
9 new section to chapter 35.21 RCW; adding a new section to chapter 53.12
10 RCW; adding a new section to chapter 53.04 RCW; creating a new section;
11 repealing RCW 35.23.070, 35.24.070, 35.27.110, 35.61.060, 35.61.070,
12 35.61.080, 35A.02.001, 35A.02.100, 35A.02.110, 35A.14.060, 35A.15.030,
13 35A.16.020, 35A.29.010, 35A.29.020, 35A.29.030, 35A.29.040, 35A.29.050,
14 35A.29.060, 35A.29.070, 35A.29.080, 35A.29.090, 35A.29.100, 35A.29.105,
15 35A.29.110, 35A.29.140, 35A.29.150, 36.54.080, 36.54.090, 36.54.100,
16 36.69.060, 44.70.010, 53.12.047, 53.12.150, 57.02.060, 68.52.240,
17 70.44.051, 70.44.055, and 70.44.057; and declaring an emergency."

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