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ENGROSSED SUBSTITUTE HOUSE BILL 1140

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State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Locke, Horn, H. Myers, Eide, Valle, Rust, Leonard, Basich, Franklin, Shin, Springer and J. Kohl)

Read first time 02/24/93.

1 AN ACT Relating to metropolitan municipal corporations; amending  
2 RCW 35.58.030, 35.58.040, 35.58.090, 35.58.120, 35.58.230, 35.58.270,  
3 35.58.300, 35.58.320, 35.58.340, 35.58.350, 35.58.410, 39.36.020,  
4 35.58.450, 35.58.460, 35.58.490, 35.58.500, 35.58.520, and 35.58.530;  
5 and repealing RCW 35.58.118, 35.58.440, and 35A.57.010.

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

7 **Sec. 1.** RCW 35.58.030 and 1965 c 7 s 35.58.030 are each amended to  
8 read as follows:

9 Any area of the state containing two or more cities, at least one  
10 of which is (~~a city of the first class~~) of ten thousand or more  
11 population, may organize as a metropolitan municipal corporation for  
12 the performance of certain functions, as provided in this chapter. The  
13 boundaries of a metropolitan municipal corporation may not be expanded  
14 to include territory located in a county other than a component county  
15 except as a result of the consolidation of two or more contiguous  
16 metropolitan municipal corporations.

17 **Sec. 2.** RCW 35.58.040 and 1991 c 363 s 39 are each amended to read  
18 as follows:

1 At the time of its formation no metropolitan municipal corporation  
2 shall include only a part of any city, and every city shall be either  
3 wholly included or wholly excluded from the boundaries of such  
4 corporation. If subsequent to the formation of a metropolitan  
5 municipal corporation a part only of any city shall be included within  
6 the boundaries of a metropolitan municipal corporation such part shall  
7 be deemed to be "unincorporated" for the purpose of selecting a member  
8 of the metropolitan council pursuant to RCW 35.58.120(3) and such city  
9 shall neither select nor participate in the selection of a member on  
10 the metropolitan council pursuant to RCW 35.58.120.

11 Any metropolitan municipal corporation now existing (~~(or hereafter~~  
12 ~~created,)~~) within a county with a population of (~~(from two hundred ten~~  
13 ~~thousand to less than one million bordering a county with a population~~  
14 ~~of one million or more, or within a county with a population of))~~ one  
15 million or more(~~(,)~~) shall, upon May 21, 1971, (~~(as to metropolitan~~  
16 ~~corporations existing on such date or upon the date of formation as to~~  
17 ~~metropolitan corporations formed after May 21, 1971,)~~) have the same  
18 boundaries as those of the respective central county of such  
19 metropolitan corporation(~~(: PROVIDED, That))~~). The boundaries of such  
20 metropolitan corporation may not be enlarged or diminished after such  
21 date by annexation as provided in chapter 35.58 RCW (~~(as now or~~  
22 ~~hereafter amended))~~ and any purported annexation of territory shall be  
23 deemed void. Any contiguous metropolitan municipal corporations may be  
24 consolidated into a single metropolitan municipal corporation upon such  
25 terms, for the purpose of performing such metropolitan function or  
26 functions, and to be effective at such time as may be approved by  
27 resolutions of the respective metropolitan councils. In the event of  
28 such consolidation the component city with the largest population shall  
29 be the central city of such consolidated metropolitan municipal  
30 corporation and the component county with the largest population shall  
31 be the central county of such consolidated metropolitan municipal  
32 corporation.

33 **Sec. 3.** RCW 35.58.090 and 1973 1st ex.s. c 195 s 23 are each  
34 amended to read as follows:

35 The election on the formation of the metropolitan municipal  
36 corporation shall be conducted by the auditor of the central county in  
37 accordance with the general election laws of the state and the results  
38 thereof shall be canvassed by the county canvassing board of the

1 central county, which shall certify the result of the election to the  
2 (~~board of~~) county (~~commissioners~~) legislative authority of the  
3 central county, and shall cause a certified copy of such canvass to be  
4 filed in the office of the secretary of state. Notice of the election  
5 shall be published in one or more newspapers of general circulation in  
6 each component county in the manner provided in the general election  
7 laws. No person shall be entitled to vote at such election unless  
8 (~~he~~) that person is a qualified voter under the laws of the state in  
9 effect at the time of such election and has resided within the  
10 metropolitan area for at least thirty days preceding the date of the  
11 election. The ballot proposition shall be in substantially the  
12 following form:

13 "FORMATION OF METROPOLITAN  
14 MUNICIPAL CORPORATION

15 Shall a metropolitan municipal corporation be established for  
16 the area described in a resolution of the (~~board of~~  
17 ~~commissioners~~) county legislative authority of . . . . .  
18 county adopted on the . . . . day of . . . . ., 19. . . ., to  
19 perform the metropolitan functions of . . . . . (here insert  
20 the title of each of the functions to be authorized as set  
21 forth in the petition or initial resolution).

22 YES . . . . . 1  
23 NO . . . . . 1 "

24 If a majority of the persons voting on the proposition residing  
25 within the central city shall vote in favor thereof and a majority of  
26 the persons voting on the proposition residing in the metropolitan area  
27 outside of the central city shall vote in favor thereof, the  
28 metropolitan municipal corporation shall thereupon be established and  
29 the (~~board of commissioners~~) county legislative authority of the  
30 central county shall adopt a resolution setting a time and place for  
31 the first meeting of the metropolitan council which shall be held not  
32 later than (~~thirty~~) sixty days after the date of such election. A  
33 copy of such resolution shall be transmitted to the legislative body of  
34 each component city and county and of each special district which shall  
35 be affected by the particular metropolitan functions authorized.

36 At the same election there shall be submitted to the voters  
37 residing within the metropolitan area, for their approval or rejection,

1 a proposition authorizing the metropolitan municipal corporation, if  
2 formed, to levy at the earliest time permitted by law on all taxable  
3 property located within the metropolitan municipal corporation a  
4 general tax, for one year, of twenty-five cents per thousand dollars of  
5 assessed value in excess of any constitutional or statutory limitation  
6 for authorized purposes of the metropolitan municipal corporation. The  
7 proposition shall be expressed on the ballots in substantially the  
8 following form:

9 "ONE YEAR TWENTY-FIVE CENTS  
10 PER THOUSAND DOLLARS OF  
11 ASSESSED VALUE LEVY

12 Shall the metropolitan municipal corporation, if formed, levy  
13 a general tax of twenty-five cents per thousand dollars of  
14 assessed value for one year upon all the taxable property  
15 within said corporation in excess of the constitutional and/or  
16 statutory tax limits for authorized purposes of the  
17 corporation?

18 YES . . . . . 1  
19 NO . . . . . 1 "

20 Such proposition to be effective must be approved by a majority of at  
21 least three-fifths of the persons voting on the proposition to levy  
22 such tax, with a forty percent validation requirement, in the manner  
23 set forth in Article VII, section 2(a) of the Constitution of this  
24 state(~~(, as amended by Amendment 59 and as thereafter amended)~~).

25 **Sec. 4.** RCW 35.58.120 and 1983 c 92 s 1 are each amended to read  
26 as follows:

27 Unless the rights, powers, functions, and obligations of a  
28 metropolitan municipal corporation have been assumed by a county as  
29 provided in chapter 36.56 RCW, a metropolitan municipal corporation  
30 shall be governed by a metropolitan council composed of (~~the~~  
31 following:

32 ~~(1) One member (a) who shall be the elected county executive of the~~  
33 ~~central county, or (b) if there shall be no elected county executive,~~  
34 ~~one member who shall be selected by, and from, the board of~~  
35 ~~commissioners of the central county.~~

1       ~~(2) One additional member for each county commissioner district or~~  
2 ~~county council district which shall contain fifteen thousand or more~~  
3 ~~persons residing within the metropolitan municipal corporation, who~~  
4 ~~shall be the county commissioner or county councilman from such~~  
5 ~~district;~~

6       ~~(3) One additional member selected by the board of commissioners or~~  
7 ~~county council of each component county for each county commissioner~~  
8 ~~district or county council district containing fifteen thousand or more~~  
9 ~~persons residing in the unincorporated portion of such commissioner~~  
10 ~~district lying within the metropolitan municipal corporation each such~~  
11 ~~appointee to be a resident of such unincorporated portion;~~

12       ~~(4) One member from each component city which shall have a~~  
13 ~~population of fifteen thousand or more persons, who shall be the mayor~~  
14 ~~of such city, if such city shall have the mayor council form of~~  
15 ~~government, and in other cities shall be selected by, and from, the~~  
16 ~~mayor and city council of each of such cities.~~

17       ~~(5) One member representing all component cities which have less~~  
18 ~~than fifteen thousand population each, to be selected by and from the~~  
19 ~~mayors of such smaller cities in the following manner: The mayors of~~  
20 ~~all such cities shall meet prior to July 1 of each even numbered year~~  
21 ~~at a time and place to be fixed by the metropolitan council. The~~  
22 ~~chairperson of the metropolitan council shall preside. After~~  
23 ~~nominations are made, successive ballots shall be taken until one~~  
24 ~~candidate receives a majority of all votes cast.~~

25       ~~(6) One additional member selected by the city council of each~~  
26 ~~component city containing a population of fifteen thousand or more for~~  
27 ~~each fifty thousand population over and above the first fifteen~~  
28 ~~thousand, such members to be selected from such city council until all~~  
29 ~~councilmen are members and thereafter to be selected from other~~  
30 ~~officers of such city.~~

31       ~~(7) For any metropolitan municipal corporation which shall be~~  
32 ~~authorized to perform the function of metropolitan water pollution~~  
33 ~~abatement, two additional members who shall be commissioners of a sewer~~  
34 ~~district or a water district which is operating a sewer system and is~~  
35 ~~a component part of the metropolitan municipal corporation and shall~~  
36 ~~participate only in those council actions which relate to the~~  
37 ~~performance of the function of metropolitan water pollution abatement.~~  
38 ~~The commissioners of all such sewer districts and water districts which~~  
39 ~~are component parts of the metropolitan municipal corporation shall~~

1 meet on the first Tuesday of the month following May 21, 1971 and  
2 thereafter on the second Tuesday of June of each even numbered year at  
3 seven o'clock p.m. at the office of the board of county commissioners  
4 of the central county. After election of a chairman, nominations shall  
5 be made to select members to serve on the metropolitan council and  
6 successive ballots taken for each member until one candidate receives  
7 a majority of votes cast. The two members so selected shall not be  
8 from districts whose boundaries come within ten miles of each other.

9 (8) One member, who shall be chairman of the metropolitan council,  
10 selected by the other members of the council. The member shall not  
11 hold any public office of or be an employee of any component city or  
12 component county of the metropolitan municipal corporation)) elected  
13 officials of the component counties and component cities, and possibly  
14 other persons, as determined by agreement of each of the component  
15 counties and the component cities equal in number to at least twenty-  
16 five percent of the total number of component cities that have at least  
17 seventy-five percent of the combined component city populations. The  
18 agreement shall remain in effect until altered in the same manner as  
19 the initial composition is determined.

20 **Sec. 5.** RCW 35.58.230 and 1965 c 7 s 35.58.230 are each amended to  
21 read as follows:

22 If a metropolitan municipal corporation shall be authorized to  
23 perform the function of metropolitan water supply, the metropolitan  
24 council shall, prior to the effective date of the assumption of such  
25 function, cause a metropolitan water advisory committee to be formed by  
26 notifying the legislative body of each component city which operates a  
27 water system to appoint one person to serve on such advisory committee  
28 and the board of commissioners of each water district, any portion of  
29 which lies within the metropolitan area, to appoint one person to serve  
30 on such committee who shall be a water district commissioner. The  
31 metropolitan water advisory committee shall meet at the time and place  
32 provided in the notice and elect a chairman. The members of such  
33 committee shall serve at the pleasure of the appointing bodies and  
34 shall receive no compensation other than reimbursement for expenses  
35 actually incurred in the performance of their duties. The function of  
36 such advisory committee shall be to advise the metropolitan council  
37 with respect to matters relating to the performance of the water supply  
38 function.

1        The requirement to create a metropolitan water advisory committee  
2 shall not apply to a county that has assumed the rights, powers,  
3 functions, and obligations of the metropolitan municipal corporation  
4 under chapter 36.56 RCW.

5        **Sec. 6.** RCW 35.58.270 and 1967 c 105 s 12 are each amended to read  
6 as follows:

7        If a metropolitan municipal corporation shall be authorized to  
8 perform the function of metropolitan transportation with a commission  
9 form of management, a metropolitan transit commission shall be formed  
10 prior to the effective date of the assumption of such function. Except  
11 as provided in this section, the metropolitan transit commission shall  
12 exercise all powers of the metropolitan municipal corporation with  
13 respect to metropolitan transportation facilities, including but not  
14 limited to the power to construct, acquire, maintain, operate, extend,  
15 alter, repair, control and manage a local public transportation system  
16 within and without the metropolitan area, to establish new passenger  
17 transportation services and to alter, curtail, or abolish any services  
18 as the commission may deem desirable and to fix tolls and fares.

19        The comprehensive plan for public transportation service and any  
20 amendments thereof shall be adopted by the metropolitan council and the  
21 metropolitan transit commission shall provide transportation facilities  
22 and service consistent with such plan. The metropolitan transit  
23 commission shall authorize expenditures for transportation purposes  
24 within the budget adopted by the metropolitan council. Tolls and fares  
25 may be fixed or altered by the commission only after approval thereof  
26 by the metropolitan council. Bonds of the metropolitan municipal  
27 corporation for public transportation purposes shall be issued by the  
28 metropolitan council as provided in this chapter.

29        The metropolitan transit commission shall consist of seven members.  
30 Six of such members shall be appointed by the metropolitan council and  
31 the seventh member shall be the chairman of the metropolitan council  
32 who shall be ex officio the chairman of the metropolitan transit  
33 commission. Three of the six appointed members of the commission shall  
34 be residents of the central city and three shall be residents of the  
35 metropolitan area outside of the central city. The three central city  
36 members of the first metropolitan transit commission shall be selected  
37 from the existing transit commission of the central city, if there be  
38 a transit commission in such city. The terms of first appointees shall

1 be for one, two, three, four, five and six years, respectively.  
2 Thereafter, commissioners shall serve for a term of four years.  
3 Compensation of transit commissioners shall be determined by the  
4 metropolitan council.

5 The requirement to create a metropolitan transit commission shall  
6 not apply to a county that has assumed the rights, powers, functions,  
7 and obligations of the metropolitan municipal corporation under chapter  
8 36.56 RCW.

9 **Sec. 7.** RCW 35.58.300 and 1965 c 7 s 35.58.300 are each amended to  
10 read as follows:

11 If a metropolitan municipal corporation shall be authorized to  
12 perform the function of metropolitan parks and parkways, a metropolitan  
13 park board shall be formed prior to the effective date of the  
14 assumption of such function. Except as provided in this section, the  
15 metropolitan park board shall exercise all powers of the metropolitan  
16 municipal corporation with respect to metropolitan park and parkway  
17 facilities.

18 The metropolitan park board shall authorize expenditures for park  
19 and parkway purposes within the budget adopted by the metropolitan  
20 council. Bonds of the metropolitan municipal corporation for park and  
21 parkway purposes shall be issued by the metropolitan council as  
22 provided in this chapter.

23 The metropolitan park board shall consist of five members appointed  
24 by the metropolitan council at least two of whom shall be residents of  
25 the central city. The terms of first appointees shall be for one, two,  
26 three, four and five years, respectively. Thereafter members shall  
27 serve for a term of four years. Compensation of park board members  
28 shall be determined by the metropolitan council.

29 The requirement to create a metropolitan park board shall not apply  
30 to a county that has assumed the rights, powers, functions, and  
31 obligations of the metropolitan municipal corporation under chapter  
32 36.56 RCW.

33 **Sec. 8.** RCW 35.58.320 and 1965 c 7 s 35.58.320 are each amended to  
34 read as follows:

35 A metropolitan municipal corporation shall have power to acquire by  
36 purchase and condemnation all lands and property rights, both within  
37 and without the metropolitan area, which are necessary for its

1 purposes. Such right of eminent domain shall be exercised by the  
2 metropolitan council in the same manner and by the same procedure as is  
3 or may be provided by law for cities (~~of the first class~~), except  
4 insofar as such laws may be inconsistent with the provisions of this  
5 chapter.

6 **Sec. 9.** RCW 35.58.340 and 1965 c 7 s 35.58.340 are each amended to  
7 read as follows:

8 Except as otherwise provided herein, a metropolitan municipal  
9 corporation may sell, or otherwise dispose of any real or personal  
10 property acquired in connection with any authorized metropolitan  
11 function and which is no longer required for the purposes of the  
12 metropolitan municipal corporation in the same manner as provided for  
13 cities (~~of the first class~~). When the metropolitan council  
14 determines that a metropolitan facility or any part thereof which has  
15 been acquired from a component city or county without compensation is  
16 no longer required for metropolitan purposes, but is required as a  
17 local facility by the city or county from which it was acquired, the  
18 metropolitan council shall by resolution transfer it to such city or  
19 county.

20 **Sec. 10.** RCW 35.58.350 and 1965 c 7 s 35.58.350 are each amended  
21 to read as follows:

22 All the powers and functions of a metropolitan municipal  
23 corporation shall be vested in the metropolitan council unless  
24 expressly vested in specific officers, boards, or commissions by this  
25 chapter, or vested in the county legislative authority of a county that  
26 has assumed the rights, powers, functions, and obligations of a  
27 metropolitan municipal corporation as provided in chapter 36.56 RCW.  
28 Without limitation of the foregoing authority, or of other powers given  
29 it by this chapter, the metropolitan council shall have the following  
30 powers:

31 (1) To establish offices, departments, boards and commissions in  
32 addition to those provided by this chapter which are necessary to carry  
33 out the purposes of the metropolitan municipal corporation, and to  
34 prescribe the functions, powers and duties thereof.

35 (2) To appoint or provide for the appointment of, and to remove or  
36 to provide for the removal of, all officers and employees of the

1 metropolitan municipal corporation except those whose appointment or  
2 removal is otherwise provided by this chapter.

3 (3) To fix the salaries, wages and other compensation of all  
4 officers and employees of the metropolitan municipal corporation unless  
5 the same shall be otherwise fixed in this chapter.

6 (4) To employ such engineering, legal, financial, or other  
7 specialized personnel as may be necessary to accomplish the purposes of  
8 the metropolitan municipal corporation.

9 **Sec. 11.** RCW 35.58.410 and 1965 c 7 s 35.58.410 are each amended  
10 to read as follows:

11 (1) On or before the third Monday in June of each year, each  
12 metropolitan municipal corporation shall adopt a budget for the  
13 following calendar year. Such budget shall include a separate section  
14 for each authorized metropolitan function. Expenditures shall be  
15 segregated as to operation and maintenance expenses and capital and  
16 betterment outlays. Administrative and other expense general to the  
17 corporation shall be allocated between the authorized metropolitan  
18 functions. The budget shall contain an estimate of all revenues to be  
19 collected during the following budget year, including any surplus funds  
20 remaining unexpended from the preceding year. ((The remaining funds  
21 required to meet budget expenditures, if any, shall be designated as  
22 "supplemental income" and shall be obtained from the component cities  
23 and counties in the manner provided in this chapter.)) The  
24 metropolitan council shall not be required to confine capital or  
25 betterment expenditures made from bond proceeds or emergency  
26 expenditures to items provided in the budget. The affirmative vote of  
27 three-fourths of all members of the metropolitan council shall be  
28 required to authorize emergency expenditures.

29 (2) Subsection (1) of this section shall not apply to a county that  
30 has assumed the rights, powers, functions, and obligations of a  
31 metropolitan municipal corporation under chapter 36.56 RCW. This  
32 subsection (2) shall apply only to each county that has assumed the  
33 rights, powers, functions, and obligations of a metropolitan municipal  
34 corporation under chapter 36.56 RCW.

35 Each county that has assumed the rights, powers, functions, and  
36 obligations of a metropolitan municipal corporation under chapter 36.56  
37 RCW shall, on or before the third Monday in June of each year, prepare  
38 an estimate of all revenues to be collected during the following

1 calendar year, including any surplus funds remaining unexpended from  
2 the preceding year for each authorized metropolitan function.

3 As long as any general obligation indebtedness remains outstanding  
4 that was issued by the metropolitan municipal corporation prior to the  
5 assumption by the county, the county shall continue to impose the taxes  
6 authorized by RCW 82.14.045 and 35.58.273(5) at the maximum rates and  
7 on all of the taxable events authorized by law. If, despite the  
8 continued imposition of those taxes, the estimate of revenues made on  
9 or before the third Monday in June shows that estimated revenues will  
10 be insufficient to make all debt service payments falling due in the  
11 following calendar year on all general obligation indebtedness issued  
12 by the metropolitan municipal corporation prior to the assumption by  
13 the county of the rights, powers, functions, and obligations of the  
14 metropolitan municipal corporation, the remaining amount required to  
15 make the debt service payments shall be designated as "supplemental  
16 income" and shall be obtained from component cities and component  
17 counties as provided under RCW 35.58.420.

18 The county shall prepare and adopt a budget each year in accordance  
19 with applicable general law or county charter. If supplemental income  
20 has been designated under this subsection, the supplemental income  
21 shall be reflected in the budget that is adopted. If during the budget  
22 year the actual tax revenues from the taxes imposed under the authority  
23 of RCW 82.14.045 and 35.58.273(5) exceed the estimates upon which the  
24 supplemental income was based, the difference shall be refunded to the  
25 component cities and component counties in proportion to their payments  
26 promptly after the end of the budget year. A county that has assumed  
27 the rights, powers, functions, and obligations of a metropolitan  
28 municipal corporation under chapter 36.56 RCW shall not be required to  
29 confine capital or betterment expenditures for authorized metropolitan  
30 functions from bond proceeds or emergency expenditures to items  
31 provided in the budget.

32 **Sec. 12.** RCW 39.36.020 and 1971 ex.s. c 218 s 1 are each amended  
33 to read as follows:

34 (1) Except as otherwise expressly provided by law or in subsections  
35 (2), (3) and (4) of this section, no taxing district shall for any  
36 purpose become indebted in any manner to an amount exceeding  
37 three-eighths of one percent of the value of the taxable property in  
38 such taxing district without the assent of three-fifths of the voters

1 therein voting at an election to be held for that purpose, nor in cases  
2 requiring such assent shall the total indebtedness incurred at any time  
3 exceed one and one-fourth percent on the value of the taxable property  
4 therein.

5 (2) Counties, cities, towns, and public hospital districts are  
6 limited to an indebtedness amount not exceeding three-fourths of one  
7 percent of the value of the taxable property in such counties, cities,  
8 towns, or public hospital districts without the assent of three-fifths  
9 of the voters therein voting at an election held for that purpose. In  
10 cases requiring such assent counties, cities, towns, and public  
11 hospital districts are limited to a total indebtedness of two and one-  
12 half percent of the value of the taxable property therein. However,  
13 any county that has assumed the rights, powers, functions, and  
14 obligations of a metropolitan municipal corporation under chapter 36.56  
15 RCW may become indebted to a larger amount for its authorized  
16 metropolitan functions, as provided under chapter 35.58 RCW, but not  
17 exceeding an additional three-fourths of one percent of the value of  
18 the taxable property in the county without the assent of three-fifths  
19 of the voters therein voting at an election held for that purpose, and  
20 in cases requiring such assent not exceeding an additional two and one-  
21 half percent of the value of the taxable property in the county.

22 (3) School districts are limited to an indebtedness amount not  
23 exceeding three-eighths of one percent of the value of the taxable  
24 property in such district without the assent of three-fifths of the  
25 voters therein voting at an election held for that purpose. In cases  
26 requiring such assent school districts are limited to a total  
27 indebtedness of two and one-half percent of the value of the taxable  
28 property therein.

29 (4) No part of the indebtedness allowed in this chapter shall be  
30 incurred for any purpose other than strictly county, city, town, school  
31 district, township, port district, metropolitan park district, or other  
32 municipal purposes: PROVIDED, That a city or town, with such assent,  
33 may become indebted to a larger amount, but not exceeding two and one-  
34 half percent additional, determined as herein provided, for supplying  
35 such city or town with water, artificial light, and sewers, when the  
36 works for supplying such water, light, and sewers shall be owned and  
37 controlled by the city or town; and a city or town, with such assent,  
38 may become indebted to a larger amount, but not exceeding two and one-  
39 half percent additional for acquiring or developing open space and park

1 facilities: PROVIDED FURTHER, That any school district may become  
2 indebted to a larger amount but not exceeding two and one-half percent  
3 additional for capital outlays.

4 (5) Such indebtedness may be authorized in any total amount in one  
5 or more propositions and the amount of such authorization may exceed  
6 the amount of indebtedness which could then lawfully be incurred. Such  
7 indebtedness may be incurred in one or more series of bonds from time  
8 to time out of such authorization but at no time shall the total  
9 general indebtedness of any taxing district exceed the above  
10 limitation.

11 The term "value of the taxable property" as used in this section  
12 shall have the meaning set forth in RCW 39.36.015.

13 **Sec. 13.** RCW 35.58.450 and 1984 c 186 s 18 are each amended to  
14 read as follows:

15 Notwithstanding the limitations of chapter 39.36 RCW and any other  
16 statutory limitations otherwise applicable and limiting municipal debt,  
17 a metropolitan municipal corporation shall have the power to contract  
18 indebtedness and issue general obligation bonds and to pledge the full  
19 faith and credit of the corporation to the payment thereof, for any  
20 authorized capital purpose of the metropolitan municipal corporation,  
21 not to exceed an amount, together with any outstanding nonvoter  
22 approved general indebtedness, equal to three-fourths of one percent of  
23 the value of the taxable property within the metropolitan municipal  
24 corporation, as the term "value of the taxable property" is defined in  
25 RCW 39.36.015. A metropolitan municipal corporation may additionally  
26 contract indebtedness and issue general obligation bonds, for any  
27 authorized capital purpose of a metropolitan municipal corporation,  
28 together with any other outstanding general indebtedness, not to exceed  
29 an amount equal to five percent of the value of the taxable property  
30 within the corporation, as the term "value of the taxable property" is  
31 defined in RCW 39.36.015, when a proposition authorizing the  
32 indebtedness has been approved by three-fifths of the persons voting on  
33 said proposition at said election at which such election the total  
34 number of persons voting on such bond proposition shall constitute not  
35 less than forty percent of the total number of (~~votes cast~~) voters  
36 voting within the area of said metropolitan municipal corporation at  
37 the last preceding state general election. Such general obligation  
38 bonds may be authorized in any total amount in one or more propositions

1 and the amount of such authorization may exceed the amount of bonds  
2 which could then lawfully be issued. Such bonds may be issued in one  
3 or more series from time to time out of such authorization. The  
4 elections shall be held pursuant to RCW 39.36.050.

5 Whenever the voters of a metropolitan municipal corporation have,  
6 pursuant to RCW 84.52.056, approved excess property tax levies to  
7 retire such bond issues, both the principal of and interest on such  
8 general obligation bonds may be made payable from annual tax levies to  
9 be made upon all the taxable property within the metropolitan municipal  
10 corporation in excess of the constitutional and/or statutory tax  
11 limit. The principal of and interest on any general obligation bond  
12 may be made payable from any other taxes or any special assessments  
13 which the metropolitan municipal corporation may be authorized to levy  
14 or from any otherwise unpledged revenue which may be derived from the  
15 ownership or operation of properties or facilities incident to the  
16 performance of the authorized function for which such bonds are issued  
17 or may be made payable from any combination of the foregoing sources.  
18 The metropolitan council may include in the principal amount of such  
19 bond issue an amount for engineering, architectural, planning,  
20 financial, legal, urban design and other services incident to  
21 acquisition or construction solely for authorized capital purposes  
22 (~~and may include an amount to establish a guaranty fund for revenue~~  
23 ~~bonds issued solely for capital purposes~~)).

24 General obligation bonds shall be issued and sold by the  
25 metropolitan council as provided in chapter 39.46 RCW and shall mature  
26 in not to exceed forty years from the date of issue.

27 **Sec. 14.** RCW 35.58.460 and 1983 c 167 s 48 are each amended to  
28 read as follows:

29 (1) A metropolitan municipal corporation may issue revenue bonds to  
30 provide funds to carry out its authorized metropolitan water pollution  
31 abatement, water supply, garbage disposal or transportation purposes,  
32 without submitting the matter to the voters of the metropolitan  
33 municipal corporation. The metropolitan council shall create a special  
34 fund or funds for the sole purpose of paying the principal of and  
35 interest on the bonds of each such issue, into which fund or funds the  
36 metropolitan council may obligate the metropolitan municipal  
37 corporation to pay such amounts of the gross revenue of the particular  
38 utility constructed, acquired, improved, added to, or repaired out of

1 the proceeds of sale of such bonds, as the metropolitan council shall  
2 determine and may obligate the metropolitan municipal corporation to  
3 pay such amounts out of otherwise unpledged revenue which may be  
4 derived from the ownership, use or operation of properties or  
5 facilities owned, used or operated incident to the performance of the  
6 authorized function for which such bonds are issued or out of otherwise  
7 unpledged fees, tolls, charges, tariffs, fares, rentals, special taxes  
8 or other sources of payment lawfully authorized for such purpose, as  
9 the metropolitan council shall determine. The principal of, and  
10 interest on, such bonds shall be payable only out of such special fund  
11 or funds, and the owners of such bonds shall have a lien and charge  
12 against the gross revenue of such utility or any other revenue, fees,  
13 tolls, charges, tariffs, fares, special taxes or other authorized  
14 sources pledged to the payment of such bonds.

15 Such revenue bonds and the interest thereon issued against such  
16 fund or funds shall be a valid claim of the owners thereof only as  
17 against such fund or funds and the revenue pledged therefor, and shall  
18 not constitute a general indebtedness of the metropolitan municipal  
19 corporation.

20 Each such revenue bond shall state upon its face that it is payable  
21 from such special fund or funds, and all revenue bonds issued under  
22 this chapter shall be negotiable securities within the provisions of  
23 the law of this state. Such revenue bonds may be registered either as  
24 to principal only or as to principal and interest as provided in RCW  
25 39.46.030, or may be bearer bonds; shall be in such denominations as  
26 the metropolitan council shall deem proper; shall be payable at such  
27 time or times and at such places as shall be determined by the  
28 metropolitan council; shall bear interest at such rate or rates as  
29 shall be determined by the metropolitan council; shall be signed by the  
30 chairman and attested by the secretary of the metropolitan council,  
31 (~~one~~) any of which signatures may be (~~a~~) facsimile signatures, and  
32 the seal of the metropolitan municipal corporation shall be impressed  
33 or imprinted thereon; any attached interest coupons shall be signed by  
34 the facsimile signatures of said officials.

35 Such revenue bonds shall be sold in such manner, at such price and  
36 at such rate or rates of interest as the metropolitan council shall  
37 deem to be for the best interests of the metropolitan municipal  
38 corporation, either at public or private sale.

1 The metropolitan council may at the time of the issuance of such  
2 revenue bonds make such covenants with the owners of said bonds as it  
3 may deem necessary to secure and guarantee the payment of the principal  
4 thereof and the interest thereon, including but not being limited to  
5 covenants to set aside adequate reserves to secure or guarantee the  
6 payment of such principal and interest, to maintain rates sufficient to  
7 pay such principal and interest and to maintain adequate coverage over  
8 debt service, to appoint a trustee or trustees for the bond owners to  
9 safeguard the expenditure of the proceeds of sale of such bonds and to  
10 fix the powers and duties of such trustee or trustees and to make such  
11 other covenants as the metropolitan council may deem necessary to  
12 accomplish the most advantageous sale of such bonds. The metropolitan  
13 council may also provide that revenue bonds payable out of the same  
14 source may later be issued on a parity with revenue bonds being issued  
15 and sold.

16 The metropolitan council may include in the principal amount of any  
17 such revenue bond issue an amount to establish necessary reserves, an  
18 amount for working capital and an amount necessary for interest during  
19 the period of construction of any such metropolitan facilities plus six  
20 months. The metropolitan council may, if it deems it to the best  
21 interest of the metropolitan municipal corporation, provide in any  
22 contract for the construction or acquisition of any metropolitan  
23 facilities or additions or improvements thereto or replacements or  
24 extensions thereof that payment therefor shall be made only in such  
25 revenue bonds at the par value thereof.

26 If the metropolitan municipal corporation shall fail to carry out  
27 or perform any of its obligations or covenants made in the  
28 authorization, issuance and sale of such bonds, the owner of any such  
29 bond may bring action against the metropolitan municipal corporation  
30 and compel the performance of any or all of such covenants.

31 (2) Notwithstanding subsection (1) of this section, such bonds may  
32 be issued and sold in accordance with chapter 39.46 RCW.

33 **Sec. 15.** RCW 35.58.490 and 1965 c 7 s 35.58.490 are each amended  
34 to read as follows:

35 ~~((If a metropolitan municipal corporation shall have been  
36 authorized to levy a general tax on all taxable property located within  
37 the metropolitan municipal corporation in the manner provided in this  
38 chapter, either at the time of the formation of the metropolitan~~

1 ~~municipal corporation or subsequently, the))~~ A metropolitan council  
2 shall have the power to authorize the issuance of interest bearing  
3 warrants on such terms and conditions as the metropolitan council shall  
4 provide(~~(, same to be repaid from the proceeds of such tax when~~  
5 ~~collected))~~ and to repay the interest bearing warrants with any moneys  
6 legally authorized for such purposes, including tax receipts where  
7 appropriate.

8       **Sec. 16.** RCW 35.58.500 and 1965 c 7 s 35.58.500 are each amended  
9 to read as follows:

10       The metropolitan municipal corporation shall have the power to levy  
11 special assessments payable over a period of not exceeding twenty years  
12 on all property within the metropolitan area specially benefited by any  
13 improvement, on the basis of special benefits conferred, to pay in  
14 whole, or in part, the damages or costs of any such improvement, and  
15 for such purpose may establish local improvement districts and enlarged  
16 local improvement districts, issue local improvement warrants and bonds  
17 to be repaid by the collection of local improvement assessments and  
18 generally to exercise with respect to any improvements which it may be  
19 authorized to construct or acquire the same powers as may now or  
20 hereafter be conferred by law upon cities (~~(of the first class)~~). Such  
21 local improvement districts shall be created and such special  
22 assessments levied and collected and local improvement warrants and  
23 bonds issued and sold in the same manner as shall now or hereafter be  
24 provided by law for cities (~~(of the first class)~~). The duties imposed  
25 upon the city treasurer under such acts shall be imposed upon the  
26 treasurer of the county in which such local improvement district shall  
27 be located.

28       A metropolitan municipal corporation may provide that special  
29 benefit assessments levied in any local improvement district may be  
30 paid into such revenue bond redemption fund or funds as may be  
31 designated by the metropolitan council to secure the payment of revenue  
32 bonds issued to provide funds to pay the cost of improvements for which  
33 such assessments were levied. If local improvement district  
34 assessments shall be levied for payment into a revenue bond fund, the  
35 local improvement district created therefor shall be designated a  
36 utility local improvement district. A metropolitan municipal  
37 corporation that creates a utility local improvement district shall

1 conform with the laws relating to utility local improvement districts  
2 created by a city.

3 **Sec. 17.** RCW 35.58.520 and 1965 c 7 s 35.58.520 are each amended  
4 to read as follows:

5 A metropolitan municipal corporation shall have the power to invest  
6 its funds held in reserves or sinking funds or any such funds which are  
7 not required for immediate disbursement, in (~~property or securities in~~  
8 ~~which mutual savings banks may legally invest funds subject to their~~  
9 ~~control~~)) any investments in which a city is authorized to invest, as  
10 provided in RCW 35.39.030.

11 **Sec. 18.** RCW 35.58.530 and 1969 ex.s. c 135 s 3 are each amended  
12 to read as follows:

13 Territory located within a component county that is annexed to a  
14 component city after the establishment of a metropolitan municipal  
15 corporation shall by such act be annexed to ((such)) the metropolitan  
16 municipal corporation. Territory within a metropolitan municipal  
17 corporation may be annexed to a city which is not within such  
18 metropolitan municipal corporation in the manner provided by law and in  
19 such event either (1) such city may be annexed to such metropolitan  
20 municipal corporation by ordinance of the legislative body of the city  
21 concurred in by resolution of the metropolitan council, or (2) if such  
22 city shall not be so annexed such territory shall remain within the  
23 metropolitan municipal corporation unless such city shall by resolution  
24 of its legislative body request the withdrawal of such territory  
25 subject to any outstanding indebtedness of the metropolitan corporation  
26 and the metropolitan council shall by resolution consent to such  
27 withdrawal.

28 Any territory located within a component county that is contiguous  
29 to a metropolitan municipal corporation and lying wholly within an  
30 incorporated city or town may be annexed to such metropolitan municipal  
31 corporation by ordinance of the legislative body of such city or town  
32 requesting such annexation concurred in by resolution of the  
33 metropolitan council.

34 Any other territory located within a component county that is  
35 adjacent to a metropolitan municipal corporation may be annexed thereto  
36 by vote of the qualified electors residing in the territory to be  
37 annexed, in the manner provided in this chapter. An election to annex

1 such territory may be called pursuant to a petition or resolution in  
2 the following manner:

3 (1) A petition calling for such an election shall be signed by at  
4 least four percent of the qualified voters residing within the  
5 territory to be annexed and shall be filed with the auditor of the  
6 central county.

7 (2) A resolution calling for such an election may be adopted by the  
8 metropolitan council.

9 Any resolution or petition calling for such an election shall  
10 describe the boundaries of the territory to be annexed, and state that  
11 the annexation of such territory to the metropolitan municipal  
12 corporation will be conducive to the welfare and benefit of the persons  
13 or property within the metropolitan municipal corporation and within  
14 the territory proposed to be annexed.

15 Upon receipt of such a petition, the auditor shall examine the same  
16 and certify to the sufficiency of the signatures thereon. (~~For the~~  
17 ~~purpose of examining the signatures on such petition, the auditor shall~~  
18 ~~be permitted access to the voter registration books of each city within~~  
19 ~~the territory proposed to be annexed and of each county a portion of~~  
20 ~~which shall be located within the territory proposed to be annexed. No~~  
21 ~~person may withdraw his name from a petition after it has been filed~~  
22 ~~with the auditor.)) Within thirty days following the receipt of such  
23 petition, the auditor shall transmit the same to the metropolitan  
24 council, together with his certificate as to the sufficiency thereof.~~

25 NEW SECTION. **Sec. 19.** The following acts or parts of acts are  
26 each repealed:

- 27 (1) RCW 35.58.118 and 1971 ex.s. c 303 s 4 & 1967 c 105 s 10;  
28 (2) RCW 35.58.440 and 1965 c 7 s 35.58.440; and  
29 (3) RCW 35A.57.010 and 1967 ex.s. c 119 s 35A.57.010.

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