
ENGROSSED SUBSTITUTE HOUSE BILL 1660

State of Washington

55th Legislature

1997 Regular Session

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

Read first time 03/05/97.

1 AN ACT Relating to the creation of Skykomish county, subject to the
2 requirements of the state Constitution and statutes in respect to the
3 establishment of new counties; amending RCW 36.04.310, 36.04.170,
4 36.04.040, 2.08.064, and 3.34.010; adding a new section to chapter
5 36.04 RCW; creating new sections; providing an effective date;
6 providing a contingent effective date; and declaring an emergency.

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

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

16

PART I - ELECTION

1 NEW SECTION. **Sec. 101.** At the next general election after the
2 effective date of this section, the question of creation of Skykomish
3 county shall be submitted to the voters residing within the boundaries
4 of the proposed Skykomish county. The question shall be presented on
5 the ballot in substantially the following form: Shall the new county
6 of Skykomish be created? - yes or no? If a majority of those voting on
7 the question vote in favor of creation of Skykomish county, Skykomish
8 county shall be created as provided in this act. If a majority of
9 those voting on the question vote against creation of Skykomish county,
10 Skykomish county shall not be created and sections 201 through 204, 301
11 through 313, 401 through 404, 501 through 504, 601, and 602 of this act
12 are null and void.

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

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

32 NEW SECTION. **Sec. 104.** Skykomish county shall consist of the
33 territory bounded as follows, to wit: Commencing at the point where
34 the east margin of the High Bridge road intersects with the boundary of
35 King county at the township line between townships twenty-six and
36 twenty-seven north of the Willamette Meridian; thence east along this

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

29

PART II - LEGAL DESCRIPTIONS

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

32 Skykomish county shall consist of the territory bounded as follows,
33 to wit: Commencing at the point where the east margin of the High
34 Bridge road intersects with the boundary of King county at the township
35 line between townships twenty-six and twenty-seven north of the
36 Willamette Meridian; thence east along this township line between
37 townships twenty-six and twenty-seven north to its intersection with

1 the range line between ranges nine and ten east; thence south along
2 this range line between ranges nine and ten east to its intersection
3 with the township line between townships twenty-five and twenty-six
4 north; thence east along this township line between townships twenty-
5 five and twenty-six north to its intersection with the summit of the
6 Cascade mountains; thence northerly along the summit of the Cascade
7 mountains to its intersection with the township line between townships
8 twenty-nine and thirty north; thence west along this township line
9 between townships twenty-nine and thirty north to its intersection with
10 the east margin of the Northern Pacific railroad right of way, which is
11 also known as centennial trail, as it exists on January 1, 1997; thence
12 southerly along this east margin of the Northern Pacific railroad right
13 of way to its intersection with the boundaries of the city of
14 Snohomish, as those boundaries existed on January 1, 1997; thence
15 southerly and easterly and thence westerly along these boundaries of
16 the city of Snohomish, as those boundaries existed on January 1, 1997,
17 to their intersection with the Snohomish river; thence west to the
18 centerline of the main channel of the Snohomish river; thence southerly
19 upstream along this centerline of the main channel of the Snohomish
20 river to its intersection with the centerline of the main channel of
21 the Snoqualmie river; thence southerly upstream along this centerline
22 of the main channel of the Snoqualmie river to its intersection with
23 the southern margin of Crescent Lake road; thence southwesterly along
24 this southern margin of the Crescent Lake road to its intersection with
25 the east margin of High Bridge road; thence southerly along this east
26 margin of High Bridge road to the place of beginning.

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

29 Snohomish county shall consist of the territory bounded as follows,
30 to wit: Commencing at the southwest corner of Skagit county; thence
31 east along the eighth standard parallel to the summit of the Cascade
32 mountains; thence southerly along the summit of the Cascade mountains
33 to ~~((the northeast corner of King county, it being a point due east of~~
34 ~~the northeast corner of township twenty six north, range four east))~~
35 its intersection with the township line between townships twenty-nine
36 and thirty north; thence west along this township line between
37 townships twenty-nine and thirty north to its intersection with the
38 east margin of the Northern Pacific railroad right of way, which is

1 also known as centennial trail, as it exists on January 1, 1997; thence
2 southerly along this east margin of the Northern Pacific railroad right
3 of way to its intersection with the boundaries of the city of
4 Snohomish, as those boundaries existed on January 1, 1997; thence
5 southerly and easterly and thence westerly along the boundaries of the
6 city of Snohomish, as those boundaries existed on January 1, 1997, to
7 their intersection with the Snohomish river; thence west to the
8 centerline of the main channel of the Snohomish river; thence southerly
9 upstream along this centerline of the main channel of the Snohomish
10 river to its intersection with the centerline of the main channel of
11 the Snoqualmie river; thence southerly upstream along this centerline
12 of the main channel of the Snoqualmie river to its intersection with
13 the southern margin of Crescent Lake road; thence southwesterly along
14 this southern margin of the Crescent Lake road to its intersection with
15 the east margin of High Bridge road; thence southerly along this east
16 margin of High Bridge road to its intersection with the boundary of
17 King county at the township line between townships twenty-six and
18 twenty-seven north; thence due west along the north boundary of King
19 county to Puget Sound; thence northerly along the channel of Puget
20 Sound and Possession Sound to the entrance of Port Susan, including
21 Gedney Island; thence northerly up the main channel of Port Susan to
22 the mouth of the Stillaguamish river; thence northwesterly through the
23 channel of the slough at the head of Camano Island, known as Davis
24 Slough; thence northerly to the place of beginning.

25 **Sec. 203.** RCW 36.04.170 and 1 H.C. s 13 are each amended to read
26 as follows:

27 King county shall consist of the territory bounded as follows, to
28 wit: Beginning at the point of intersection of the center of East
29 Passage (also known as Admiralty Inlet) on Puget Sound and the
30 northerly line of the Puyallup Indian Reservation (projected
31 northwesterly); thence southeasterly in a straight line along said
32 northerly line of Puyallup Indian Reservation and same extended to a
33 point on the east line of section thirty-one, township twenty-one,
34 north, range four east, Willamette Meridian; thence south along said
35 east line of section thirty-one, township twenty-one, range four east,
36 Willamette Meridian, to the township line between township twenty north
37 and township twenty-one north (being the fifth standard parallel
38 north); thence east along said township line between township twenty

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

30 **Sec. 204.** RCW 36.04.040 and 1899 c 95 s 1 are each amended to read
31 as follows:

32 Chelan county shall consist of the territory bounded as follows, to
33 wit: Beginning at the point of intersection of the middle of the main
34 channel of the Columbia river with the fifth standard parallel north,
35 thence running west along said fifth standard parallel north to the
36 point where said fifth standard parallel north intersects the summit of
37 the main divide between the waters flowing northerly and easterly into
38 the Wenatchee and Columbia rivers, and the waters flowing southerly and

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

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

25 NEW SECTION. **Sec. 301.** The official date of creating Skykomish
26 county shall be January 1, 1999. As provided in section 305 of this
27 act, an interim transition period shall exist commencing on the date
28 the interim elected officials of Skykomish county assume office and
29 continuing until the official date of creating Skykomish county.

30 The following shall occur during this interim period: (1) County
31 facilities and services will continue to be provided by Snohomish
32 county in those portions of Snohomish county that will be stricken and
33 become part of Skykomish county and by King county in those portions of
34 King county that will be stricken and become part of Skykomish county;
35 (2) property and activities in the portion of Snohomish county that
36 will become part of Skykomish county shall remain subject to the
37 governmental jurisdiction and taxing authority of Snohomish county, and

1 property and activities in the portion of King county that will become
2 part of Skykomish county shall remain subject to the governmental
3 jurisdiction and taxing authority of King county; (3) interim elected
4 officials for Skykomish county shall assume partial jurisdiction to
5 provide for a smooth transition of the area into Skykomish county; and
6 (4) the voters of Skykomish county shall be the resident voters of
7 Snohomish county and King county who reside in what will become
8 Skykomish county, and these Skykomish county voters shall elect the
9 elected officials for Skykomish county who assume office at the end of
10 the interim period and shall vote on any ballot propositions submitted
11 to them by the interim board of county commissioners of Skykomish
12 county.

13 To avoid double voting powers, the voters of Snohomish and King
14 counties during this interim period shall only be the voters of those
15 counties residing in what will remain of Snohomish county or King
16 county on the official date of creating Skykomish county and voters of
17 Skykomish county shall not participate in any county election matters
18 relating to Snohomish or King counties. During the period from the
19 effective date of this section until the official date of creating
20 Skykomish county, any ballot proposition authorizing debt or excess
21 levies for King county or Snohomish county shall only encumber the
22 property in King county or Snohomish county as the boundaries exist on
23 the official date of creating Skykomish county.

24 During the interim period, Snohomish and King counties shall
25 receive federal, state, and other moneys allocated to those counties as
26 if Skykomish county were not created. Skykomish county shall be
27 eligible to receive federal, state, and other moneys after the official
28 date of creating the county.

29 NEW SECTION. **Sec. 302.** Interim elected officials of Skykomish
30 county shall be elected in 1998 for each of the elected positions of a
31 county with the population of Skykomish county as specified under RCW
32 36.16.030. The Snohomish county auditor shall open a three day special
33 filing period for persons to file declarations of their candidacies for
34 the interim county elected officials for Skykomish county. The filing
35 period shall be the first three business days following the date of
36 certification of the election to form Skykomish county. A primary
37 shall be held to nominate candidates for Skykomish county elected
38 positions at the February, 1998 special election date specified in RCW

1 29.13.010. Each candidate for the office of county commissioner shall
2 file for one of the three separate county commissioner positions and
3 county commissioner districts shall be used to nominate candidates for
4 the interim offices of county commissioner. The candidates' names
5 shall appear on the ballot in alphabetical order under the title of the
6 position for which each has filed.

7 An election shall be held to elect the interim county elected
8 officials at the April, 1998 election date specified in RCW 29.13.010.
9 The newly elected county officials shall assume office immediately upon
10 the certification of the election with limited powers during the
11 interim period as provided in this act and full powers commencing
12 January 1, 1999. The county officials elected in 1998 shall hold
13 office until their successors are elected, qualified, and assume office
14 in January 1, 2000.

15 NEW SECTION. **Sec. 303.** A primary and general election shall be
16 held at the normal times in 1999 to nominate and elect the successors
17 of the county officials elected in 1998, who shall take office on
18 January 1, 2000. This primary and general election shall be conducted
19 by the Skykomish county auditor, with the assistance of Snohomish and
20 King county election officials. The two county commissioners who are
21 elected receiving the two greatest numbers of votes shall be elected to
22 four-year terms of office, and the other county commissioner who is
23 elected shall be elected to a two-year term of office. All the other
24 county elected officials shall be elected to four-year terms of office.

25 NEW SECTION. **Sec. 304.** All ordinances, rules, and regulations of
26 Snohomish county that were in effect in the portion of Skykomish county
27 that will be stricken from Snohomish county, and all ordinances, rules,
28 and regulations of King county that were in effect in the portion of
29 Skykomish county that will be stricken from King county, shall remain
30 in effect until the effective date of an amendment or repeal of these
31 ordinances, rules, or regulations by the board of county commissioners
32 of Skykomish county.

33 NEW SECTION. **Sec. 305.** An interim period shall exist commencing
34 on the date the interim Skykomish county elected officials assume
35 office and continuing until the official date of creating Skykomish
36 county.

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

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

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

26 During the interim period, the interim board of commissioners and
27 other interim county elected officials may acquire needed facilities,
28 supplies, equipment, insurance, and staff during this interim period as
29 if Skykomish county were in existence.

30 During the interim period, the interim board of county
31 commissioners may adopt rules establishing policies and procedures
32 under the state environmental policy act, chapter 43.21C RCW, and may
33 use these rules and procedures in making determinations under the state
34 environmental policy act, chapter 43.21C RCW. During this interim
35 period, Skykomish county and the interim county elected officials shall
36 be subject to the following as though the county were officially
37 created: RCW 36.16.050 relating to the filing of bonds; RCW 4.24.470
38 relating to immunity; chapter 42.17 RCW relating to open government;
39 chapter 40.14 RCW relating to the preservation and disposition of

1 public records; chapters 42.20 and 42.23 RCW relating to ethics and
2 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open
3 public meetings and minutes; RCW 36.72.075 relating to the designation
4 of an official newspaper, except that the interim board of county
5 commissioners may designate its official county newspaper at any
6 meeting during the interim period; RCW 36.16.138 relating to liability
7 insurance; RCW 36.32.240 through 36.32.270, chapter 36.77 RCW, and
8 statutes referenced therein, relating to public contracts and bidding;
9 and chapter 39.34 RCW relating to interlocal cooperation.

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

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

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

1 Skykomish county is stricken, and a single road district shall exist in
2 Skykomish county that includes all unincorporated territory in
3 Skykomish county.

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

14 NEW SECTION. **Sec. 306.** (1) During the interim period, meetings of
15 the interim board of county commissioners may be held at any location
16 within Skykomish county selected by the interim board of county
17 commissioners. The county voters shall make the selection of the
18 permanent county seat at the general election in 1998.

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

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

34 NEW SECTION. **Sec. 307.** The department of community, trade, and
35 economic development shall establish an initial annual salary for each
36 elected official position in Skykomish county. The annual salary for
37 each county elected official position in Skykomish county shall be the

1 average annual salary for the same position in noncharter counties of
2 approximately the same population. The decision of the department of
3 community, trade, and economic development establishing these annual
4 salaries shall be final. The salary shall be paid during the interim
5 period and thereafter until altered by the board of county
6 commissioners of Skykomish county.

7 NEW SECTION. **Sec. 308.** Snohomish and King counties shall assist
8 Skykomish county from the effective date of this section through the
9 interim period and after the interim period for a reasonable period
10 until Skykomish county is able to handle its affairs, including, but
11 not limited to, providing services, work, staff, materials, supplies,
12 equipment, and other property, and loaning money to Skykomish county.

13 Skykomish county shall pay Snohomish county and King county for the
14 value of assistance those counties provide to Skykomish county after
15 the interim period, which could be in the form of crediting the value
16 of this assistance against any amount that Snohomish county or King
17 county may be required to provide Skykomish county under sections 401
18 through 404 of this act.

19 Snohomish and King counties shall continue financing maintenance
20 and construction of county facilities and providing county services in
21 Skykomish county from the effective date of this section through the
22 interim period as if Skykomish county were not authorized to be
23 created. During the period from the effective date of this section
24 through the interim period, each officer of Snohomish and King counties
25 shall retain authority over the portions in those counties of what will
26 become Skykomish county as if Skykomish county were not authorized to
27 be created.

28 NEW SECTION. **Sec. 309.** Budgets for the interim period and the
29 initial budget for Skykomish county effective for the first calendar
30 year after the interim period shall be adopted as provided in this
31 section.

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

36 In addition, the interim board of county commissioners shall adopt
37 a budget for calendar year 1999 and may impose property taxes in 1998

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

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

22 NEW SECTION. **Sec. 311.** Counties, cities, towns, and other local
23 government agencies and state agencies may make loans of staff and
24 equipment, and technical and financial assistance to Skykomish county
25 during the interim period to facilitate its transition. Such loans and
26 assistance may be with or without compensation.

27 NEW SECTION. **Sec. 312.** The department of community, trade, and
28 economic development shall identify federal, state, and local agencies
29 that should receive notification that Skykomish county is about to be
30 created and shall assist Skykomish county during its interim period in
31 providing such notification to the identified agencies.

32 NEW SECTION. **Sec. 313.** The interim county officers of Skykomish
33 county during the interim period are subject to all state laws limiting
34 the authority of or imposing obligations on such offices as if the new
35 county were fully established.

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

2 NEW SECTION. **Sec. 401.** Skykomish county shall be liable for a
3 just proportion of the debts and liabilities of Snohomish county and
4 King county, and entitled to its just proportion of the property and
5 assets of Snohomish county and King county.

6 The division and distribution of these debts and liabilities,
7 property, and assets shall be determined as provided in sections 402
8 and 403 of this act, and the provisions of chapter 36.09 RCW shall not
9 apply to the just distribution of these debts and liabilities,
10 property, and assets.

11 NEW SECTION. **Sec. 402.** A negotiation party shall be appointed to
12 distribute the debts and liabilities, property, and assets of Snohomish
13 county between Snohomish county and Skykomish county, and a separate
14 negotiation party shall be appointed to distribute the debts and
15 liabilities, property, and assets of King county between King county
16 and Skykomish county.

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

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

33 NEW SECTION. **Sec. 403.** (1) The division and distribution of debts
34 and liabilities, property, and assets of Snohomish county between
35 Skykomish county and Snohomish county shall conform with the
36 requirements and policies contained in this section. The division and

1 distribution of debts and liabilities, property, and assets of King
2 county between Skykomish county and King county shall conform with the
3 requirements and policies contained in this section.

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

6 (2) The physical location of real property, including roads and
7 bridges, shall determine ownership of the real property. Real property
8 of a parent county that is located within Skykomish county shall become
9 the property of Skykomish county upon creation. All real property,
10 including roads and bridges, of a parent county that is located within
11 what will remain of the parent county shall remain the property of the
12 parent county. There shall be no valuation, financial apportionment of
13 equities, or compensation for equities of real property, roads, and
14 bridges.

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

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

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

36 (5) All other assets of the parent county including personal
37 property, leasehold interest, intangible property, such as cash,
38 securities, and receivables including back taxes, surplus moneys, and
39 any other monetary instruments, shall be apportioned in an equitable

1 manner which provides for a just apportionment between the parent
2 counties and Skykomish county.

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

6 (6) In apportioning the assets, debts, and liabilities between each
7 parent county and Skykomish county, the remaining assets, debts, and
8 liabilities of the parent county must be apportioned so that Skykomish
9 county is assigned an amount of these assets, debts, and liabilities
10 that is in the same proportion as the assessed valuation of Skykomish
11 county, that was part of that parent county, is to the total assessed
12 valuation in the parent county before creation of Skykomish county.
13 The assessed valuations must be those used for taxes imposed in the
14 year 1998 for collection in 1999.

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

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

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

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

35 **PART V - COURTS**

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

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

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

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

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

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

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

6 **PART VI - MISCELLANEOUS**

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

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

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

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

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

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

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

31 (4) Effective on the official date of creating Skykomish county,
32 the boundaries of the prior metropolitan municipal corporation of
33 Seattle, which was assumed by King county, shall be reduced to the
34 boundaries of King county as they exist after territory is stricken
35 from King county to create Skykomish county. To avoid the impairment
36 of any contract, any indebtedness of the metropolitan municipal
37 corporation of Seattle, or of King county that is associated with its
38 authority to act as a metropolitan municipal corporation, that is
39 secured with its taxing authority, shall remain in effect and the taxes

1 shall continue to be imposed in the portion of Skykomish county that
2 was stricken from King county until the indebtedness is retired. In
3 return, King county shall continue providing transit service to the
4 portion of Skykomish county that was stricken from King county during
5 the period in which such taxes are imposed.

6 NEW SECTION. **Sec. 603.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

10 NEW SECTION. **Sec. 604.** Sections 1 and 101 through 104 of this act
11 are necessary for the immediate preservation of the public peace,
12 health, or safety, or support of the state government and its existing
13 public institutions, and take effect immediately. Sections 201 through
14 204 of this act take effect January 1, 1999. Sections 301 through 313,
15 401 through 404, 501 through 504, 601, and 602 of this act take effect
16 upon certification that a majority of those voting on the question of
17 the creation of Skykomish county voted in favor of the creation of
18 Skykomish county.

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