

1 1194-S AAS 4/18/91

2 **SHB 1194** - S AMD
3 By Senators Bailey and McCaslin

4 Adopted 4/18/91 - Voice Vote

5 On page 11, line 21, after "district," insert "it shall, within
6 sixty days, be filled by appointment of a district voter by a vote of
7 the remaining members of the governing body. If the governing body
8 fails to fill the vacancy within the sixty-day period,"

9 On page 11, line 23, after "shall" strike "appoint a district voter
10 to" and insert "~~((appoint a district voter to))~~ make the appointment.
11 If the number of vacancies is such that there is not a majority of the
12 full number of members of the governing body in office as fixed by law,
13 the county legislative authority of the county in which all, or the
14 largest portion, of the district is located shall appoint a district
15 voter to fill each vacancy, within thirty days of each vacancy, that is
16 sufficient to create a majority as prescribed by law. An appointee
17 shall"

18 **SHB 1194** - S AMD
19 By Senators Sutherland, McCaslin and L. Smith

20 Adopted 4/18/91 - Voice Vote

21 On page 19, after line 2, insert the following:

22 "**Sec. 18.** RCW 29.18.022 and 1987 c 110 s 1 are each amended to
23 read as follows:

24 The names of all candidates for partisan office, for the office of
25 superintendent of public instruction, for public utility district
26 office, and for all judicial offices shall be rotated in each precinct
27 in the manner specified by RCW 29.30.040, 29.30.340, and 29.30.440.

1 The order of names of candidates for such offices on sample ballots and
2 on absentee ballots in primaries shall be determined in the following
3 manner:

4 (1) After the close of business on the last day for candidates to
5 file for office, the officer with whom declarations of candidacy are
6 filed shall, from among those filings made in person and by mail in
7 accordance with RCW 29.18.045(2), determine by lot the order in which
8 the names of those candidates shall appear on the sample and absentee
9 ballots under the appropriate office heading. The determination shall
10 be done publicly, and may be witnessed by the media and by any
11 candidate desiring to do so.

12 (2) For the purposes of this section and RCW 29.18.045, "filing
13 officer" means the officer with whom declarations of candidacy for an
14 office must be filed."

15 Renumber the sections consecutively and correct internal references
16 accordingly.

17 **SHB 1194** - S AMD
18 By Senators Sutherland, McCaslin and L. Smith

19 Adopted 4/18/91 - Voice Vote

20 On page 1, line 3 of the title, after "85.38.130," strike "and
21 85.38.180" and insert "85.38.180, and 29.18.022"

22 **SHB 1194** - S COMM AMD
23 By Committee on Governmental Operations

24 Adopted 4/18/91 - Voice Vote

25 On page 19, after line 6, insert the following:

26 "NEW SECTION. **Sec. 20.** A new section is added to chapter 56.12
27 RCW to read as follows:

1 (1) An established sewer district having fifty or fewer residents
2 may, by resolution of its board of commissioners, expand the electorate
3 of the district to include:

4 (a) All persons who hold title to real property within the
5 district; and

6 (b) Any domestic corporation or domestic partnership that holds
7 title to real property within the district.

8 (2) Persons described in subsection (1)(a) of this section shall be
9 eligible to vote in a district election if they have held title to real
10 property within the district for a period of at least sixty days
11 preceding the election.

12 (3) Authorized agents of entities described in subsection (1)(b) of
13 this section shall be eligible to vote in a district election if the
14 entity has held title to real property within the district for a period
15 of at least sixty days preceding the election. Any entity described in
16 subsection (1)(b) of this section shall be entitled to one vote, which
17 may be cast by the authorized agent of the entity if they submit their
18 instrument of authority with the county auditor accompanying their
19 request for a district absentee ballot at least thirty days prior to
20 the date of any district election.

21 (4) Persons and authorized agents of entities described in
22 subsection (1) of this section shall vote by requesting an absentee
23 district ballot from the auditor of the county in which all or most of
24 the district is located. Such request must be presented to or received
25 by the county auditor at least thirty days prior to the election. The
26 county auditor may require evidence of eligibility to vote.

27 (5) Persons and authorized agents of entities described in
28 subsection (1) of this section are eligible to seek the office of
29 district commissioner if they have held title to property in the
30 district for at least sixty days at the time of the filing of their

1 declaration of candidacy. Representatives of entities described in
2 subsection (1)(b) of this section must file an instrument recognizing
3 their authority to represent the entity with their declaration of
4 candidacy. The county auditor may require evidence of eligibility to
5 file the declaration of candidacy.

6 (6) Persons and authorized agents of entities described in
7 subsection (1) of this section may cast votes and be eligible to hold
8 district office only so long as the resident population of the district
9 is fifty or fewer residents. If the number of residents within the
10 district increases to more than fifty residents, the commissioner
11 position or positions held by nonresident electors shall be deemed
12 vacant and shall be filled in the manner provided in RCW 56.12.020."

13 "NEW SECTION. Sec. 21. A new section is added to chapter 56.12
14 RCW to read as follows:

15 A sewer district that expands its electorate under the provisions
16 of section 20 of this act shall prepare and maintain a list of presumed
17 eligible voters. The list shall include the assessor's tax number for
18 each lot or parcel in the district, the name or the names of the owners
19 of such lots and parcels, the extent of the ownership interest of such
20 persons, and if such persons are natural persons, whether they are
21 known to be registered voters in the state of Washington. Whenever
22 such a list is prepared, the district shall attempt to notify each
23 owner of the requirements necessary to establish their authority to
24 vote. Whenever lots or parcels in the district are sold, the district
25 shall attempt to notify the purchasers of the requirements necessary to
26 establish their authority to vote. Each special district shall provide
27 a copy of this list, and any revised list, to the auditor of the county
28 within which all or most of the special district is located."

1 "NEW SECTION. **Sec. 22.** A new section is added to chapter 57.12
2 RCW to read as follows:

3 (1) An established water district having fifty or fewer residents
4 may, by resolution of its board of commissioners, expand the electorate
5 of the district to include:

6 (a) All persons who hold title to real property within the
7 district; and

8 (b) Any domestic corporation or domestic partnership that holds
9 title to real property within the district.

10 (2) Persons described in subsection (1)(a) of this section shall be
11 eligible to vote in a district election if they have held title to real
12 property within the district for a period of at least sixty days
13 preceding the election.

14 (3) Authorized agents of entities described in subsection (1)(b) of
15 this section shall be eligible to vote in a district election if the
16 entity has held title to real property within the district for a period
17 of at least sixty days preceding the election. Any entity described in
18 subsection (1)(b) of this section shall be entitled to one vote, which
19 may be cast by the authorized agent of the entity if they submit their
20 instrument of authority with the county auditor accompanying their
21 request for a district absentee ballot at least thirty days prior to
22 the date of any district election.

23 (4) Persons and authorized agents of entities described in
24 subsection (1) of this section shall vote by requesting an absentee
25 district ballot from the auditor of the county in which all or most of
26 the district is located. Such request must be presented to or received
27 by the county auditor at least thirty days prior to the election. The
28 county auditor may require evidence of eligibility to vote.

29 (5) Persons and authorized agents of entities described in
30 subsection (1) of this section are eligible to seek the office of

1 district commissioner if they have held title to property in the
2 district for at least sixty days at the time of the filing of their
3 declaration of candidacy. Representatives of entities described in
4 subsection (1)(b) of this section must file an instrument recognizing
5 their authority to represent the entity with their declaration of
6 candidacy. The county auditor may require evidence of eligibility to
7 file the declaration of candidacy.

8 (6) Persons and authorized agents of entities described in
9 subsection (1) of this section may cast votes and be eligible to hold
10 district office only so long as the resident population of the district
11 is fifty or fewer residents. If the number of residents within the
12 district increases to more than fifty residents, the commissioner
13 position or positions held by nonresident electors shall be deemed
14 vacant and shall be filled in the manner provided in RCW 57.12.020."

15 "NEW SECTION. Sec. 23. A new section is added to chapter 57.12
16 RCW to read as follows:

17 A water district that expands its electorate under the provisions
18 of section 22 of this act shall prepare and maintain a list of presumed
19 eligible voters. The list shall include the assessor's tax number for
20 each lot or parcel in the district, the name or the names of the owners
21 of such lots and parcels, the extent of the ownership interest of such
22 persons, and if such persons are natural persons. Whenever such a list
23 is prepared, the district shall attempt to notify each owner of the
24 requirements necessary to establish their authority to vote. Whenever
25 lots or parcels in the district are sold, the district shall attempt to
26 notify the purchasers of the requirements necessary to establish their
27 authority to vote. Each special district shall provide a copy of this
28 list, and any revised list, to the auditor of the county within which
29 all or most of the special district is located."

1 **SHB 1194** - S COMM AMD
2 By Committee on Governmental Operations

3 Adopted 4/18/91 - Voice Vote

4 On page 1, line 5 of the title, after "85.08 RCW;" insert "adding
5 new sections to chapter 56.12 RCW; adding new sections to chapter 57.12
6 RCW;"

7 **SHB 1194** - S AMD
8 By Senator L. Smith

9 Adopted 4/18/91 - Voice Vote

10 On page 19, after line 6, insert the following:

11 "**Sec. 20.** RCW 85.05.410 and 1985 c 396 s 39 are each amended to
12 read as follows:

13 Members of the board of diking commissioners of any diking district
14 in this state may receive as compensation the sum of up to (~~twenty-~~
15 ~~five~~) fifty dollars for attendance at official meetings of the
16 district and for each day or major part thereof for all necessary
17 services actually performed in connection with their duties as
18 commissioners, and shall receive the same compensation as other labor
19 of a like character for all other necessary work or services performed
20 in connection with their duties: PROVIDED, That such compensation
21 shall not exceed (~~three~~) four thousand eight hundred dollars in one
22 calendar year, except when the commissioners declare an emergency.
23 Allowance of such compensation shall be established and approved at
24 regular meetings of the board, and when a copy of the extracts of
25 minutes of the board meeting relative thereto showing such approval is
26 certified by the secretary of such board and filed with the county

1 auditor, the allowance made shall be paid as are other claims against
2 the district.

3 Each commissioner is entitled to reimbursement for reasonable
4 expenses actually incurred in connection with such business, including
5 subsistence and lodging, while away from the commissioner's place of
6 residence, and mileage for use of a privately owned vehicle in
7 accordance with chapter 42.24 RCW."

8 "Sec. 21. RCW 85.06.380 and 1985 c 396 s 43 are each amended to
9 read as follows:

10 In performing their duties under the provisions of this title the
11 board and members of the board of drainage commissioners shall receive
12 as compensation up to (~~twenty-five~~) fifty dollars for attendance at
13 official meetings of the district and for each day or major part
14 thereof for all necessary services actually performed in connection
15 with their duties as commissioners: PROVIDED, That such compensation
16 shall not exceed four thousand eight hundred dollars in one calendar
17 year: PROVIDED FURTHER, That such services and compensation are
18 allowed and approved at a regular meeting of the board. Upon the
19 submission of a copy, certified by the secretary, of the extracts of
20 the relevant minutes of the board showing such approval, to the county
21 auditor, the same shall be paid as other claims against the district
22 are paid. Each commissioner is entitled to reimbursement for
23 reasonable expenses actually incurred in connection with such business,
24 including (~~his~~) subsistence and lodging, while away from the
25 commissioner's place of residence and mileage for use of a privately-
26 owned vehicle in accordance with chapter 42.24 RCW."

27 "Sec. 22. RCW 85.08.320 and 1986 c 278 s 32 are each amended to
28 read as follows:

1 The compensation of the superintendent of construction, the board
2 of appraisers hereinafter provided for, and any special engineer,
3 attorney or agent employed by the district in connection with the
4 improvement, the maximum wages to be paid, and the maximum price of
5 materials to be used, shall be fixed by the district board of
6 supervisors. Members of the board of supervisors may receive
7 compensation up to (~~twenty-five~~) fifty dollars for attending each
8 official meeting of the district and for each day or major part thereof
9 for all necessary services actually performed in connection with their
10 duties as supervisors: PROVIDED, That such compensation shall not
11 exceed four thousand eight hundred dollars in one calendar year. Each
12 supervisor shall be entitled to reimbursement for reasonable expenses
13 actually incurred in connection with business, including subsistence
14 and lodging while away from the supervisor's place of residence and
15 mileage for use of a privately owned vehicle in accordance with chapter
16 42.24 RCW. All costs of construction or maintenance done under the
17 direction of the board of supervisors shall be paid upon vouchers or
18 payrolls verified by two of the said supervisors. All costs of
19 construction and all other expenses, fees and charges on account of
20 such improvement shall be paid by warrants drawn by the county auditor
21 upon the county treasurer upon the proper fund, and shall draw interest
22 at a rate determined by the county legislative authority until paid or
23 called by the county treasurer as warrants of the county are called."

24 "**Sec. 23.** RCW 85.24.080 and 1985 c 396 s 54 are each amended to
25 read as follows:

26 The members of the board shall receive as compensation up to
27 (~~twenty-five~~) fifty dollars for attendance at official meetings of
28 the district and for each day or major part thereof for all necessary
29 services actually performed in connection with their duties as

1 commissioners: PROVIDED, That such compensation shall not exceed four
2 thousand eight hundred dollars in one calendar year: PROVIDED FURTHER,
3 That the board may fix a different salary for the secretary thereof in
4 lieu of the per diem. Each commissioner is entitled to reimbursement
5 for reasonable expenses actually incurred in connection with such
6 business, including subsistence and lodging, while away from the
7 commissioner's place of residence, and mileage for use of a privately
8 owned vehicle in accordance with chapter 42.24 RCW. The salary and
9 expenses shall be paid by the treasurer of the fund, upon orders made
10 by the board. Each member of the board must before being paid for
11 expenses, take vouchers therefore from the person or persons to whom
12 the particular amount was paid, and must also make affidavit that the
13 amounts were necessarily incurred and expended in the performance of
14 his or her duties."

15 **SHB 1194** - S AMD
16 By Senator L. Smith

17 Adopted 4/18/91 - Voice Vote

18 On page 1, line 3 of the title, after "85.38.130," strike "and" and
19 on line 4, after "85.38.180" insert ", 85.05.410, 85.06.380, 85.08.320,
20 and 85.24.080"