
SUBSTITUTE HOUSE BILL 1201

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Cooper, Wood, Rayburn, Edmondson, Franklin, Haugen, Nealey, Zellinsky, Wynne, Bray, Mitchell, Roland and Ferguson).

Read first time February 20, 1991.

1 AN ACT Relating to local government; amending RCW 2.32.180,
2 2.32.280, 3.30.020, 3.38.030, 3.74.940, 7.06.010, 8.04.080, 9.73.220,
3 13.04.035, 13.04.093, 13.20.010, 13.20.060, 13.70.005, 15.60.170,
4 19.27.160, 26.12.050, 27.24.062, 27.24.068, 28A.315.450, 28A.315.460,
5 28A.315.590, 28A.315.600, 28A.315.610, 28A.315.620, 28A.315.630,
6 29.04.200, 29.13.060, 29.30.060, 29.42.050, 29.42.070, 29.82.060,
7 35.21.010, 35.21.422, 35.58.040, 35.58.273, 35.81.010, 35.82.285,
8 36.01.130, 36.13.020, 36.13.100, 36.16.030, 36.16.030, 36.16.032,
9 36.16.050, 36.17.010, 36.17.020, 36.17.040, 36.24.175, 36.27.060,
10 36.32.240, 36.33.060, 36.33.065, 36.56.010, 36.57A.020, 36.58.030,
11 36.58.100, 36.64.060, 36.64.070, 36.69.010, 36.78.020, 36.78.040,
12 36.79.140, 36.80.010, 36.93.030, 36.93.040, 36.93.051, 36.93.061,
13 36.93.063, 36.93.100, 36.93.140, 36.95.020, 40.04.100, 41.14.040,
14 41.14.065, 41.14.070, 41.14.210, 41.28.020, 41.56.030, 42.23.030,
15 43.99C.045, 53.12.010, 46.09.240, 46.52.100, 47.26.121, 53.12.020,
16 53.12.035, 53.12.035, 53.25.100, 53.31.020, 53.49.010, 54.16.180,
17 56.04.120, 57.90.010, 67.28.090, 67.28.180, 67.28.240, 70.46.030,

1 70.54.180, 70.94.055, 70.142.040, 71.05.135, 71.24.045, 74.20.210,
2 76.12.030, 79.08.170, 81.100.030, 81.100.060, 81.104.030, 81.104.040,
3 81.104.140, 82.44.150, 87.19.020, and 88.32.230; reenacting and
4 amending RCW 28A.315.580, 28A.315.670, 28A.315.680, 70.94.053,
5 82.14.045, and 53.31.911; creating a new section; repealing RCW
6 53.31.010, 53.31.020, 53.31.030, 53.31.040, 53.31.050, 53.31.060,
7 29.13.025, 36.13.010, 36.13.075, 36.13.080, 36.13.090, 36.93.920,
8 53.12.040, 53.12.044, 53.12.055, 53.12.160, and 53.12.210; providing
9 effective dates; and providing expiration dates.

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

11 NEW SECTION. **Sec. 1.** The purposes of this act are to
12 eliminate the use of formal county classes and substitute the use of
13 the most current county population figures to distinguish counties. In
14 addition, certain old statutes that reference county class, but no
15 longer are followed, are repealed or amended to conform with current
16 practices.

17 **Sec. 2.** RCW 2.32.180 and 1990 c 186 s 3 are each amended to read
18 as follows:

19 It shall be and is the duty of each and every superior court judge
20 in counties or judicial districts in the state of Washington having a
21 population of over thirty-five thousand inhabitants to appoint, or said
22 judge may, in any county or judicial district having a population of
23 over twenty-five thousand and less than thirty-five thousand, appoint
24 a stenographic reporter to be attached to the judge's court (~~helden by~~
25 ~~him~~) who shall have had at least three years' experience as a skilled,
26 practical reporter, or who upon examination shall be able to report and
27 transcribe accurately one hundred and seventy-five words per minute of

1 the judge's charge or two hundred words per minute of testimony each
2 for five consecutive minutes; said test of proficiency, in event of
3 inability to meet qualifications as to length of time of experience, to
4 be given by an examining committee composed of one judge of the
5 superior court and two official reporters of the superior court of the
6 state of Washington, appointed by the president judge of the superior
7 court judges association of the state of Washington: PROVIDED, That a
8 stenographic reporter shall not be required to be appointed for the
9 seven additional judges of the superior court authorized for
10 appointment by section 1, chapter 323, Laws of 1987, the additional
11 superior court judge authorized by section 1, chapter 66, Laws of 1988,
12 the additional superior court judges authorized by sections 2 and 3,
13 chapter 328, Laws of 1989, or the additional superior court judges
14 authorized by sections 1 and 2, chapter 186, Laws of 1990. The initial
15 judicial appointee shall serve for a period of six years; the two
16 initial reporter appointees shall serve for a period of four years and
17 two years, respectively, from September 1, 1957; thereafter on
18 expiration of the first terms of service, each newly appointed member
19 of said examining committee to serve for a period of six years. In the
20 event of death or inability of a member to serve, the president judge
21 shall appoint a reporter or judge, as the case may be, to serve for the
22 balance of the unexpired term of the member whose inability to serve
23 caused such vacancy. The examining committee shall grant certificates
24 to qualified applicants. Administrative and procedural rules and
25 regulations shall be promulgated by said examining committee, subject
26 to approval by the said president judge.

27 The stenographic reporter upon appointment shall thereupon become
28 an officer of the court and shall be designated and known as the
29 official reporter for the court or judicial district for which he or
30 she is appointed: PROVIDED, That in no event shall there be appointed

1 more official reporters in any one county or judicial district than
2 there are superior court judges in such county or judicial district;
3 the appointments in each (~~class AA~~) county with a population of one
4 million or more shall be made by the majority vote of the judges in
5 said county acting en banc; the appointments in (~~class A counties and~~
6 ~~counties of the first class~~) each county with a population of from one
7 hundred twenty-five thousand to less than one million may be made by
8 each individual judge therein or by the judges in said county acting en
9 banc. Each official reporter so appointed shall hold office during the
10 term of office of the judge or judges appointing him or her, but may be
11 removed for incompetency, misconduct or neglect of duty, and before
12 entering upon the discharge of his or her duties shall take an oath to
13 perform faithfully the duties of his or her office, and file a bond in
14 the sum of two thousand dollars for the faithful discharge of his or
15 her duties. Such reporter in each court is hereby declared to be a
16 necessary part of the judicial system of the state of Washington.

17 **Sec. 3.** RCW 2.32.280 and 1957 c 244 s 5 are each amended to read
18 as follows:

19 In all counties or judicial districts, except in (~~class AA~~
20 ~~counties and class A counties and counties of the first class~~) any
21 county with a population of one hundred twenty-five thousand or more,
22 such official reporter shall act as amanuensis to the court for which
23 he or she is appointed.

24 **Sec. 4.** RCW 3.30.020 and 1987 c 202 s 110 are each amended to read
25 as follows:

26 The provisions of chapters 3.30 through 3.74 RCW shall apply to
27 (~~class AA and class A counties~~) each county with a population of two
28 hundred ten thousand or more: PROVIDED, That any city having a

1 population of more than ~~((five))~~ four hundred thousand may by
2 resolution of its legislative body elect to continue to operate a
3 municipal court pursuant to the provisions of chapter 35.20 RCW, as if
4 chapters 3.30 through 3.74 RCW had never been enacted: PROVIDED
5 FURTHER, That if a city elects to continue its municipal court pursuant
6 to this section, the number of district judges allocated to the county
7 in RCW 3.34.010 shall be reduced by two and the number of full time
8 district judges allocated by RCW 3.34.020 to the district in which the
9 city is situated shall also be reduced by two. The provisions of
10 chapters 3.30 through 3.74 RCW may be made applicable to any county
11 ~~((of the first, second, third, fourth, fifth, sixth, seventh, eighth,~~
12 ~~or ninth class))~~ with a population of less than two hundred ten
13 thousand upon a majority vote of its ~~((board—of))~~ county
14 ~~((commissioners))~~ legislative authority.

15 **Sec. 5.** RCW 3.38.030 and 1984 c 258 s 25 are each amended to read
16 as follows:

17 Upon receipt of the districting plan, the county legislative
18 authority shall hold a public hearing, pursuant to the provisions of
19 RCW 36.32.120(7), as now or hereafter amended. At the hearing, anyone
20 interested in the plan may attend and be heard as to the convenience
21 which will be afforded to the public by the plan, and as to any other
22 matters pertaining thereto. If the county legislative authority finds
23 that the plan proposed by the districting committee conforms to the
24 standards set forth in chapters 3.30 through 3.74 RCW and is conducive
25 to the best interests and welfare of the county as a whole it may adopt
26 such plan. If the county legislative authority finds that the plan
27 does not conform to the standards as provided in chapters 3.30 through
28 3.74 RCW, the county legislative authority may modify, revise or amend
29 the plan and adopt such amended or revised plan as the county's

1 district court districting plan. The plan decided upon shall be
2 adopted by the county legislative authority not later than six months
3 after the (~~classification of the county as class A~~) county initially
4 obtains a population of two hundred ten thousand or more or the
5 adoption of the elective resolution.

6 **Sec. 6.** RCW 3.74.940 and 1965 ex.s. c 110 s 4 are each amended to
7 read as follows:

8 Any prior action by the (~~county commissioners~~) legislative
9 authority of any county (~~of the first, second, third, fourth, fifth,~~
10 ~~sixth, seventh, eighth or ninth class~~) with a population of less than
11 two hundred ten thousand to make the provisions of chapters 3.30
12 through 3.74 RCW applicable to their county and the organization of any
13 justice court as a result thereof, and all other things and proceedings
14 done or taken by such county or by their respective officers acting
15 under or in pursuance to such prior action and organization are hereby
16 declared legal and valid and of full force and effect.

17 **Sec. 7.** RCW 7.06.010 and 1984 c 258 s 511 are each amended to read
18 as follows:

19 In counties (~~of the second class and larger~~) with a population of
20 seventy thousand or more, the superior court of the county, by majority
21 vote of the judges thereof, or the county legislative authority may
22 authorize mandatory arbitration of civil actions under this chapter.
23 In all other counties, the superior court of the county, by a majority
24 vote of the judges thereof, may authorize mandatory arbitration of
25 civil actions under this chapter.

26 **Sec. 8.** RCW 8.04.080 and 1988 c 188 s 15 are each amended to read
27 as follows:

1 The order shall direct that determination be had of the
2 compensation and damages to be paid all parties interested in the land,
3 real estate, premises or other property sought to be appropriated for
4 the taking and appropriation thereof, together with the injury, if any,
5 caused by such taking and appropriation to the remainder of the lands,
6 real estate, premises, or other property from which the same is to be
7 taken and appropriated after offsetting against any and all such
8 compensation and damages the special benefits, if any, accruing to such
9 remainder by reason of the appropriation and the use by the state of
10 the lands, real estate, premises, and other property described in the
11 petition. The determination shall be made within thirty days after the
12 entry of such order, before a jury if trial by jury is demanded at the
13 hearing either by the petitioner or by the respondents, otherwise by
14 the court sitting without a jury. If no regular venire has been called
15 so as to be available to serve within such time on application of the
16 petitioner at the hearing, the court may by its order continue such
17 determination to the next regular jury term if a regular venire will be
18 called within sixty days, otherwise the court shall call a special jury
19 within said sixty days and direct that a jury panel be selected and
20 summoned pursuant to chapter 2.36 RCW, from the citizens of the county
21 in which the lands, real estate, premises, or other property sought to
22 be appropriated are situated, as many qualified persons as may be
23 necessary in order to form a jury of twelve persons, unless the
24 petitioner and respondents both consent to a less number of jurors
25 (such number to be not less than three), and such consent is entered by
26 the clerk in the minutes of such hearing. In any ((third-class))
27 county ((or lesser classification)) with a population of less than
28 seventy thousand, the costs of such special jury for the trial of such
29 condemnation cases only shall be borne by the state.

1 **Sec. 9.** RCW 9.73.220 and 1989 c 271 s 203 are each amended to read
2 as follows:

3 In each superior court judicial district in (~~class AA and A~~
4 ~~counties~~) a county with a population of two hundred ten thousand or
5 more there shall be available twenty-four hours a day at least one
6 superior court or district court judge or magistrate designated to
7 receive telephonic requests for authorizations that may be issued
8 pursuant to this chapter. The presiding judge of each such superior
9 court in conjunction with the district court judges in that superior
10 court judicial district shall establish a coordinated schedule of
11 rotation for all of the superior and district court judges and
12 magistrates in the superior court judicial district for purposes of
13 ensuring the availability of at least one judge or magistrate at all
14 times. During the period that each judge or magistrate is designated,
15 he or she shall be equipped with an electronic paging device when not
16 present at his or her usual telephone. It shall be the designated
17 judge's or magistrate's responsibility to ensure that all attempts to
18 reach him or her for purposes of requesting authorization pursuant to
19 this chapter are forwarded to the electronic page number when the judge
20 or magistrate leaves the place where he or she would normally receive
21 such calls.

22 **Sec. 10.** RCW 13.04.035 and 1979 c 155 s 5 are each amended to read
23 as follows:

24 Juvenile court, probation counselor, and detention services shall
25 be administered by the superior court, except that by local court rule
26 and agreement with the legislative authority of the county they may be
27 administered by the legislative authority of the county in the manner
28 prescribed by RCW 13.20.060: PROVIDED, That in any (~~class AA~~) county
29 with a population of one million or more, such services shall be

1 administered in accordance with chapter 13.20 RCW. The administrative
2 body shall appoint an administrator of juvenile court, probation
3 counselor, and detention services who shall be responsible for day-to-
4 day administration of such services, and who may also serve in the
5 capacity of a probation counselor. One person may, pursuant to the
6 agreement of more than one administrative body, serve as administrator
7 of more than one juvenile court.

8 **Sec. 11.** RCW 13.04.093 and 1985 c 354 s 30 are each amended to
9 read as follows:

10 It shall be the duty of the prosecuting attorney to act in
11 proceedings relating to the commission of a juvenile offense as
12 provided in RCW 13.40.070 and 13.40.090 and in proceedings as provided
13 in chapter 71.34 RCW. It shall be the duty of the prosecuting attorney
14 to handle delinquency cases under chapter 13.24 RCW and it shall be the
15 duty of the attorney general to handle dependency cases under chapter
16 13.24 RCW. It shall be the duty of the attorney general in contested
17 cases brought by the department to present the evidence supporting any
18 petition alleging dependency or seeking the termination of a parent and
19 child relationship or any contested case filed under RCW 26.33.100 or
20 approving or disapproving alternative residential placement: PROVIDED,
21 That in ~~((class 1 through 9 counties))~~ each county with a population of
22 less than two hundred ten thousand, the attorney general may contract
23 with the prosecuting attorney of the county to perform said duties of
24 the attorney general.

25 **Sec. 12.** RCW 13.20.010 and 1955 c 232 s 1 are each amended to read
26 as follows:

27 The judges of the superior court of any ~~((class AA))~~ county with a
28 population of one million or more are hereby authorized, by majority

1 vote, to appoint a board of managers to administer, subject to the
2 approval and authority of such superior court, the probation and
3 detention services for dependent and delinquent children coming under
4 the jurisdiction of the juvenile court.

5 Such board shall consist of four citizens of the county and the
6 judge who has been selected to preside over the juvenile court.

7 **Sec. 13.** RCW 13.20.060 and 1975 1st ex.s. c 124 s 1 are each
8 amended to read as follows:

9 In addition, and alternatively, to the authority granted by RCW
10 13.20.010, the judges of the superior court of any (~~class AA~~) county
11 with a population of one million or more operating under a county
12 charter providing for an elected county executive are hereby
13 authorized, by a majority vote, subject to approval by ordinance of the
14 legislative authority of the county to transfer to the county executive
15 the responsibility for, and administration of all or part of juvenile
16 court services, including detention, intake and probation. The
17 superior court and county executive of such county are further
18 authorized to establish a five-member juvenile court advisory board to
19 advise the county in its administration of such services, facilities
20 and programs. If the advisory board is established, two members of the
21 advisory board shall be appointed by the superior court, two members
22 shall be appointed by the county executive, and one member shall be
23 selected by the vote of the other four members. The county is
24 authorized to contract or otherwise make arrangements with other public
25 or private agencies to provide all or a part of such services,
26 facilities and programs. Subsequent to any transfer to the county of
27 responsibility and administration of such services, facilities and
28 programs pursuant to the foregoing authority, the judges of such
29 superior court, by majority vote subject to the approval by ordinance

1 of the legislative authority of the county, may retransfer the same to
2 the superior court.

3 **Sec. 14.** RCW 13.70.005 and 1989 1st ex.s. c 17 s 2 are each
4 amended to read as follows:

5 Periodic case review of all children in substitute care shall be
6 provided in at least one (~~(class 1 or higher)~~) county with a population
7 of one hundred twenty-five thousand or more, in accordance with this
8 chapter.

9 The administrator for the courts shall coordinate and assist in the
10 administration of the local citizen review board pilot program created
11 by this chapter.

12 **Sec. 15.** RCW 15.60.170 and 1989 c 354 s 64 are each amended to
13 read as follows:

14 The county legislative authority of any county (~~(of the third~~
15 ~~class)~~) with a population of from forty thousand to less than seventy
16 thousand located east of the Cascade crest and bordering on the
17 southern side of the Snake river shall have the power to designate by
18 an order made and published, as provided in RCW 15.60.190, certain
19 territories as apiary coordinated areas in which they may designate the
20 number of colonies per apiary, the distance between apiaries, the
21 minimum required setback distance from property lines, and/or the time
22 of year the regulations shall be in effect. No territory so designated
23 shall be less than two square miles in area.

24 **Sec. 16.** RCW 19.27.160 and 1989 c 246 s 7 are each amended to read
25 as follows:

26 Any county (~~(of the seventh class)~~) with a population of from five
27 thousand to less than ten thousand that had in effect on July 1, 1985,

1 an ordinance or resolution authorizing and regulating the construction
2 of owner-built residences may reenact such an ordinance or resolution
3 if the ordinance or resolution is reenacted before September 30, 1989.
4 After reenactment, the county shall transmit a copy of the ordinance or
5 resolution to the state building code council.

6 **Sec. 17.** RCW 26.12.050 and 1989 c 199 s 1 are each amended to read
7 as follows:

8 (1) Except as provided in subsection (2) of this section, in
9 (~~class "A" counties and counties of the first through ninth classes~~)
10 each county with a population of less than one million, the superior
11 court may appoint the following persons to assist the family court in
12 disposing of its business:

13 (a) One or more attorneys to act as family court commissioners, and

14 (b) Such investigators, stenographers and clerks as the court shall
15 find necessary to carry on the work of the family court.

16 (2) The county legislative authority must approve the creation of
17 family court commissioner positions.

18 (3) The appointments provided for in this section shall be made by
19 majority vote of the judges of the superior court of the county and may
20 be made in addition to all other appointments of commissioners and
21 other judicial attaches otherwise authorized by law. Family court
22 commissioners and investigators shall serve at the pleasure of the
23 judges appointing them and shall receive such compensation as the
24 county legislative authority shall determine. The appointments may be
25 full or part-time positions. A person appointed as a family court
26 commissioner may also be appointed to any other commissioner position
27 authorized by law.

1 **Sec. 18.** RCW 27.24.062 and 1971 ex.s. c 141 s 1 are each amended
2 to read as follows:

3 In each county (~~of the first, second, third, fourth, fifth, and~~
4 ~~sixth classes~~) with a population of from eight thousand to less than
5 one hundred twenty-five thousand, there shall be a county law library
6 which shall be governed and maintained as hereinafter provided.

7 Two or more of such counties may, by agreement of the respective
8 law library boards of trustees, create a regional law library and
9 establish and maintain one principal law library at such location as
10 the regional board of trustees may determine will best suit the needs
11 of the users: PROVIDED, HOWEVER, That there shall be at all times a
12 law library in such size as the board of trustees may determine
13 necessary to be located at the courthouse where each superior court is
14 located.

15 **Sec. 19.** RCW 27.24.068 and 1975 c 37 s 1 are each amended to read
16 as follows:

17 In each county (~~of the seventh and eighth class~~) with a
18 population of less than eight thousand, there may be a county law
19 library which shall be governed and maintained by the prosecuting
20 attorney who shall also serve as trustee of such library without
21 additional salary or other compensation.

22 The use of the county law library shall be free to the judges of
23 the state, to state and county officials, and to members of the bar,
24 and to such others as the prosecuting attorney may by rule provide.

25 **Sec. 20.** RCW 28A.315.450 and 1980 c 35 s 1 are each amended to
26 read as follows:

27 The governing board of a school district shall be known as the
28 board of directors of the district.

1 Unless otherwise specifically provided, as in RCW 29.13.060, each
2 member of a board of directors shall be elected by ballot by the
3 registered voters of the school district and shall hold office for a
4 term of four years and until a successor is elected and qualified.
5 Terms of school directors shall be staggered, and insofar as possible,
6 not more than a majority of one shall be elected to full terms at any
7 regular election. In case a member or members of a board of directors
8 are to be elected to fill an unexpired term or terms, the ballot shall
9 specify the term for which each such member is to be elected.

10 Except for a school district of the first class having within its
11 boundaries a city with a population of four hundred thousand people or
12 more (~~(in class AA counties)~~) which shall have a board of directors of
13 seven members, the board of directors of every school district of the
14 first class or school district of the second class shall consist of
15 five members.

16 **Sec. 21.** RCW 28A.315.460 and 1979 ex.s. c 183 s 10 are each
17 amended to read as follows:

18 After July 1, 1979, the election of directors of any first class
19 school district having within its boundaries a city with a population
20 of four hundred thousand people or more (~~(and being in a class AA~~
21 ~~county)~~), shall be to four year terms. The initial four year terms
22 required by this section shall commence upon the expiration of terms in
23 existence at July 1, 1979. Nothing in this amendatory act shall affect
24 the term of office of any incumbent director of any such first class
25 school district.

26 **Sec. 22.** RCW 28A.315.580 and 1990 c 161 s 5 and 1990 c 33 s 319
27 are each reenacted and amended to read as follows:

1 Whenever an election shall be held for the purpose of securing the
2 approval of the voters for the formation of a new school district other
3 than a school district of the first class having within its boundaries
4 a city with a population of four hundred thousand people or more ((in
5 ~~class AA counties~~)), if requested by one of the boards of directors of
6 the school districts affected, there shall also be submitted to the
7 voters at the same election a proposition to authorize the regional
8 committee to divide the school district, if formed, into five
9 directors' districts in first class school districts and a choice of
10 five directors' districts or no fewer than three directors' districts
11 with the balance of the directors to be elected at large in second
12 class school districts. Such director districts in second class
13 districts, if approved, shall not become effective until the regular
14 school election following the next regular school election at which
15 time a new board of directors shall be elected as provided in RCW
16 28A.315.550. Such director districts in first class districts, if
17 approved, shall not become effective until the next regular school
18 election at which time a new board of directors shall be elected as
19 provided in RCW 28A.315.600, 28A.315.610, and 28A.315.620. Each of the
20 five directors shall be elected from among the residents of the
21 respective director district, or from among the residents of the entire
22 school district in the case of directors at large, by the electors of
23 the entire school district.

24 **Sec. 23.** RCW 28A.315.590 and 1990 c 161 s 6 are each amended to
25 read as follows:

26 The board of directors of every first class school district other
27 than a school district of the first class having within its boundaries
28 a city with a population of four hundred thousand people or more ((in
29 ~~class AA counties~~)) which is not divided into directors' districts may

1 submit to the voters at any regular school district election a
2 proposition to authorize the regional committee to divide the district
3 into directors' districts or for second class school districts into
4 director districts or a combination of no fewer than three director
5 districts and no more than two at large positions. If a majority of
6 the votes cast on the proposition shall be affirmative, the regional
7 committee shall proceed to divide the district into directors'
8 districts. Such director districts, if approved, shall not become
9 effective until the next regular school election when a new five member
10 board of directors shall be elected, one from each of the director
11 districts from among the residents of the respective director district,
12 or from among the residents of the entire school district in the case
13 of directors at large, by the electors of the entire district, two for
14 a term of two years and three for a term of four years, unless such
15 district elects its directors for six years, in which case, one for a
16 term of two years, two for a term of four years, and two for a term of
17 six years.

18 **Sec. 24.** RCW 28A.315.600 and 1990 c 33 s 320 are each amended to
19 read as follows:

20 Upon the establishment of a new school district of the first class
21 as provided for in RCW 28A.315.580 containing no former first class
22 district, the directors of the old school districts who reside within
23 the limits of the new district shall meet at the call of the
24 educational service district superintendent and shall constitute the
25 board of directors of the new district. If fewer than five such
26 directors reside in such new district, they shall become directors of
27 said district and the educational service district board shall appoint
28 the number of additional directors to constitute a board of five
29 directors for the district. Vacancies, once such a board has been

1 reconstituted, shall not be filled unless the number of remaining board
2 members is less than five, and such vacancies shall be filled in the
3 manner otherwise provided by law.

4 Each board of directors so constituted shall proceed at once to
5 organize in the manner prescribed by law and thereafter shall have all
6 the powers and authority conferred by law upon boards of directors of
7 first class school districts until the next regular school election in
8 the district at which election their successors shall be elected and
9 qualified. At such election no more than five directors shall be
10 elected either at large or by director districts, as the case may be,
11 two for a term of two years and three for a term of four years:
12 PROVIDED, That if such first class district is in a ((~~class AA or class~~
13 A)) county with a population of two hundred ten thousand or more and
14 contains a city of the first class, two directors shall be elected for
15 a term of three years and three directors shall be elected for a term
16 of six years.

17 **Sec. 25.** RCW 28A.315.610 and 1990 c 33 s 321 are each amended to
18 read as follows:

19 Upon the establishment of a new school district of the first class
20 as provided for in RCW 28A.315.580 containing only one former first
21 class district, the directors of the former first class district and
22 two directors representative of former second class districts selected
23 by a majority of the board members of former second class districts
24 shall meet at the call of the educational service district
25 superintendent and shall constitute the board of directors of the new
26 district. Vacancies, once such a board has been reconstituted, shall
27 not be filled unless the number of remaining board members is less than
28 five, and such vacancies shall be filled in the manner otherwise
29 provided by law.

1 Each board of directors so constituted shall proceed at once to
2 organize in the manner prescribed by law and thereafter shall have all
3 the powers and authority conferred by law upon boards of directors of
4 first class school districts until the next regular school election in
5 the district at which election their successors shall be elected and
6 qualified. At such election no more than five directors shall be
7 elected either at large or by director districts, as the case may be,
8 two for a term of two years and three for a term of four years:
9 PROVIDED, That if such first class district is in a ((~~class AA or class~~
10 A)) county with a population of two hundred ten thousand or more and
11 contains a city of the first class, two directors shall be elected for
12 a term of three years and three directors shall be elected for a term
13 of six years.

14 **Sec. 26.** RCW 28A.315.620 and 1990 c 33 s 322 are each amended to
15 read as follows:

16 Upon the establishment of a new school district of the first class
17 as provided for in RCW 28A.315.580 containing more than one former
18 first class district, the directors of the largest former first class
19 district and three directors representative of the other former first
20 class districts selected by a majority of the board members of the
21 former first class districts and two directors representative of former
22 second class districts selected by a majority of the board members of
23 former second class districts shall meet at the call of the educational
24 service district superintendent and shall constitute the board of
25 directors of the new district. Vacancies once such a board has been
26 reconstituted shall not be filled unless the number of remaining board
27 members is less than seven, and such vacancies shall be filled in the
28 manner otherwise provided by law.

1 Each board of directors so constituted shall proceed at once to
2 organize in the manner prescribed by law and thereafter shall have all
3 of the powers and authority conferred by law upon boards of first class
4 districts until the next regular school election and until their
5 successors are elected and qualified. At such election other than
6 districts electing directors for six-year terms as provided in RCW
7 29.13.060, as now or hereafter amended, five directors shall be elected
8 either at large or by director districts, as the case may be, two for
9 a term of two years and three for a term of four years. At such
10 election for districts electing directors for six years other than a
11 district having within its boundaries a city with a population of four
12 hundred thousand people or more (~~((in class AA counties))~~) and electing
13 directors for six year terms, five directors shall be elected either at
14 large or by director districts, as the case may be, one for a term of
15 two years, two for a term of four years, and two for a term of six
16 years.

17 **Sec. 27.** RCW 28A.315.630 and 1990 c 33 s 323 are each amended to
18 read as follows:

19 Upon the establishment of a new school district of the first class
20 having within its boundaries a city with a population of four hundred
21 thousand people or more (~~((in class AA counties))~~), the directors of the
22 largest former first class district and three directors representative
23 of the other former first class districts selected by a majority of the
24 board members of the former first class districts and two directors
25 representative of former second class districts selected by a majority
26 of the board members of former second class districts shall meet at the
27 call of the educational service district superintendent and shall
28 constitute the board of directors of the new district. Each board of
29 directors so constituted shall proceed at once to organize in the

1 manner prescribed by law and thereafter shall have all the powers and
2 duties conferred by law upon boards of first class districts, until the
3 next regular school election and until their successors are elected and
4 qualified. Such duties shall include establishment of new director
5 districts as provided for in RCW 28A.315.670. At the next regular
6 school election seven directors shall be elected by director districts,
7 two for a term of two years, two for a term of four years and three for
8 a term of six years. Thereafter their terms shall be as provided in
9 RCW 28A.315.460.

10 Vacancies once such a board has been reconstituted shall not be
11 filled unless the number of remaining board members is less than seven,
12 and such vacancies shall be filled in the manner otherwise provided by
13 law.

14 **Sec. 28.** RCW 28A.315.670 and 1990 c 59 s 99 and 1990 c 33 s 327
15 are each reenacted and amended to read as follows:

16 Notwithstanding any other provision of law, any school district of
17 the first class having within its boundaries a city with a population
18 of four hundred thousand people or more (~~(in class AA counties)~~) shall
19 be divided into seven director districts. The boundaries of such
20 director districts shall be established by the members of the school
21 board and approved by the county committee on school district
22 organization, such boundaries to be established so that each such
23 district shall comprise, as nearly as practicable, an equal portion of
24 the population of the school district. Boundaries of such director
25 districts shall be adjusted by the school board and approved by the
26 county committee after each federal decennial census if population
27 change shows the need thereof to comply with the equal population
28 requirement above. No person shall be eligible for the position of
29 school director in any such director district unless such person

1 resides in the particular director district. Residents in the
2 particular director district desiring to be a candidate for school
3 director shall file their declarations of candidacy for such director
4 district and for the position of director in that district and shall be
5 voted upon, in any primary required to be held for the position under
6 Title 29 RCW, by the registered voters of that particular director
7 district. In the general election, each position shall be voted upon
8 by all the registered voters in the school district. The order of the
9 names of candidates shall appear on the primary and general election
10 ballots as required for nonpartisan positions under Title 29 RCW.
11 Except as provided in RCW 28A.315.680, every such director so elected
12 in school districts divided into seven director districts shall serve
13 for a term of four years as otherwise provided in RCW 28A.315.460.

14 **Sec. 29.** RCW 28A.315.680 and 1990 c 59 s 72 and 1990 c 33 s 328
15 are each reenacted and amended to read as follows:

16 Within thirty days after March 25, 1969, the school boards of any
17 school district of the first class having within its boundaries a city
18 with a population of four hundred thousand people or more (~~(in class AA~~
19 ~~counties))~~) shall establish the director district boundaries and obtain
20 approval thereof by the county committee on school district
21 organization. Appointment of a board member to fill any vacancy
22 existing for a new director district prior to the next regular school
23 election shall be by the school board. Prior to the next regular
24 election in the school district and the filing of declarations of
25 candidacy therefor, the incumbent school board shall designate said
26 director districts by number. Directors appointed to fill vacancies as
27 above provided shall be subject to election, one for a six-year term,
28 and one for a two-year term and thereafter the term of their respective
29 successors shall be for four years. The term of office of incumbent

1 members of the board of such district shall not be affected by RCW
2 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680, and
3 29.21.180.

4 **Sec. 30.** RCW 29.04.200 and 1990 c 184 s 1 are each amended to read
5 as follows:

6 (1) Beginning January 1, 1993, no voting device or machine may be
7 used in a county (~~of the second class or larger~~) with a population of
8 seventy thousand or more to conduct a primary or general or special
9 election in this state unless it correctly records on a separate ballot
10 the votes cast by each elector for any person and for or against any
11 measure and such separate ballots are available for audit purposes
12 after such a primary or election.

13 (2) Beginning January 1, 1993, the secretary of state shall not
14 certify under this title any voting device or machine for use in
15 conducting a primary or general or special election in this state
16 unless the device or machine correctly records on a separate ballot the
17 votes cast by each elector for any person and for or against any
18 measure and such separate ballots are available for audit purposes
19 after such a primary or election.

20 (3) Beginning January 1, 1993, a county (~~of the third class or~~
21 ~~smaller~~) with a population of less than seventy thousand may use a
22 voting machine or device for conducting a primary or general or special
23 election which does not record on a separate ballot, available for
24 audit purposes after the primary or election, the votes cast by each
25 elector for any person and for or against any measure if:

26 (a) The device was certified under this title before January 1,
27 1993, for use in this state;

28 (b) The device otherwise satisfies the requirements of this title;
29 and

1 (c) Not more than twenty percent of the votes cast during any
2 primary or general or special election conducted after January 1, 1998,
3 in the county are cast using such a machine or device.

4 (4) The purpose of subsection (3) of this section is to permit less
5 populous counties to replace voting equipment in stages over several
6 years. These less populous counties are, nonetheless, encouraged to
7 secure as expeditiously as possible voting equipment which would
8 satisfy the requirements of subsection (1) of this section established
9 for more populous counties. The secretary of state shall report to the
10 legislature by January 1st of each odd-numbered year through 1997 on
11 the progress of such less populous counties in replacing equipment
12 which does not satisfy the requirements of subsection (1) of this
13 section established for more populous counties.

14 **Sec. 31.** RCW 29.13.060 and 1990 c 33 s 563 are each amended to
15 read as follows:

16 In (~~class AA and class A counties~~) each county with a population
17 of two hundred ten thousand or more, first class school districts
18 containing a city of the first class shall hold their elections
19 biennially as provided in RCW 29.13.020.

20 Except as provided in RCW 28A.315.460, the directors to be elected
21 shall be elected for terms of six years and until their successors are
22 elected and qualified and assume office in accordance with RCW
23 29.04.170.

24 **Sec. 32.** RCW 29.30.060 and 1990 c 59 s 12 are each amended to read
25 as follows:

26 Except in (~~class AA counties~~) each county with a population of
27 one million or more, on or before the fifteenth day before a primary or
28 election, the county auditor shall prepare a sample ballot which shall

1 be made readily available to members of the public. The secretary of
2 state shall adopt rules governing the preparation of sample ballots in
3 (~~class AA~~) counties with a population of one million or more. The
4 rules shall permit, among other alternatives, the preparation of more
5 than one sample ballot by a (~~class AA~~) county with a population of
6 one million or more for a primary or election, each of which lists a
7 portion of the offices and issues to be voted on in that county. The
8 position of precinct committee officer shall be shown on the sample
9 ballot for the general election, but the names of candidates for the
10 individual positions need not be shown.

11 **Sec. 33.** RCW 29.42.050 and 1987 c 295 s 14 are each amended to
12 read as follows:

13 The statutory requirements for filing as a candidate at the
14 primaries shall apply to candidates for precinct committee officer
15 except that the filing period for this office alone shall be extended
16 to and include the Friday immediately following the last day for
17 political parties to fill vacancies in the ticket as provided by RCW
18 29.18.150, and the office shall not be voted upon at the primaries, but
19 the names of all candidates must appear under the proper party and
20 office designations on the ballot for the general November election for
21 each even-numbered year and the one receiving the highest number of
22 votes shall be declared elected: PROVIDED, That to be declared
23 elected, a candidate must receive at least ten percent of the number of
24 votes cast for the candidate of the candidate's party receiving the
25 greatest number of votes in the precinct. Any person elected to the
26 office of precinct committee officer who has not filed a declaration of
27 candidacy shall pay the fee of one dollar to the county auditor for a
28 certificate of election. The term of office of precinct committee
29 officer shall be for two years, commencing upon completion of the

1 official canvass of votes by the county canvassing board of election
2 returns. Should any vacancy occur in this office by reason of death,
3 resignation, or disqualification of the incumbent, or because of
4 failure to elect, the respective county chair of the county central
5 committee shall be empowered to fill such vacancy by appointment:
6 PROVIDED, HOWEVER, That in legislative districts having a majority of
7 its precincts in a ((~~class AA~~)) county with a population of one million
8 or more, such appointment shall be made only upon the recommendation of
9 the legislative district chair: PROVIDED, That the person so appointed
10 shall have the same qualifications as candidates when filing for
11 election to such office for such precinct: PROVIDED FURTHER, That when
12 a vacancy in the office of precinct committee officer exists because of
13 failure to elect at a state general election, such vacancy shall not be
14 filled until after the organization meeting of the county central
15 committee and the new county chair selected as provided by RCW
16 29.42.030.

17 **Sec. 34.** RCW 29.42.070 and 1987 c 295 s 15 are each amended to
18 read as follows:

19 Within forty-five days after the state-wide general election in
20 even-numbered years, or within thirty days following July 30, 1967, for
21 the biennium ending with the 1968 general elections, the county chair
22 of each major political party shall call separate meetings of all
23 elected precinct committee officers in each legislative district a
24 majority of the precincts of which are within a ((~~class AA~~)) county
25 with a population of one million or more for the purpose of electing a
26 legislative district chair in such district. The district chair shall
27 hold office until the next legislative district reorganizational
28 meeting two years later, or until a successor is elected.

1 The legislative district chair can only be removed by the majority
2 vote of the elected precinct committee officers in the chair's
3 district.

4 **Sec. 35.** RCW 29.82.060 and 1965 c 9 s 29.82.060 are each amended
5 to read as follows:

6 When the person, committee, or organization demanding the recall of
7 a public officer has secured sufficient signatures upon the recall
8 petition (~~((he or it))~~) the person, committee, or organization may submit
9 the same to the officer with whom the charge was filed for filing in
10 his or her office. The number of signatures required shall be as
11 follows:

12 (1) In the case of a state officer, an officer of a city of the
13 first class, a member of a school board in a city of the first class,
14 or a county officer of a county (~~((of the first, second or third class))~~)
15 with a population of forty thousand or more--signatures of legal voters
16 equal to twenty-five percent of the total number of votes cast for all
17 candidates for the office to which the officer whose recall is demanded
18 was elected at the preceding election.

19 (2) In the case of an officer of any political subdivision, city,
20 town, township, precinct, or school district other than those mentioned
21 in (~~((subdivision))~~) subsection (1) of this section, and in the case of
22 a state senator or representative--signatures of legal voters equal to
23 thirty-five percent of the total number of votes cast for all
24 candidates for the office to which the officer whose recall is demanded
25 was elected at the preceding election.

26 **Sec. 36.** RCW 35.21.010 and 1965 c 138 s 1 are each amended to read
27 as follows:

1 Municipal corporations now or hereafter organized are bodies
2 politic and corporate under the name of the city of _____, or the
3 town of _____, as the case may be, and as such may sue and be
4 sued, contract or be contracted with, acquire, hold, possess and
5 dispose of property, subject to the restrictions contained in other
6 chapters of this title, having a common seal, and change or alter the
7 same at pleasure, and exercise such other powers, and have such other
8 privileges as are conferred by this title: PROVIDED, That not more
9 than two square miles in area shall be included within the corporate
10 limits of a (~~municipal corporation of the fourth class~~) town having
11 a population of fifteen hundred or less, or located in (~~class AA~~
12 ~~counties~~) a county with a population of one million or more, and not
13 more than three square miles in area shall be included within the
14 corporate limits of a (~~municipal corporation of the fourth class~~)
15 town having a population of more than fifteen hundred in (~~counties~~
16 ~~other than class AA~~) a county with a population of less than one
17 million, nor shall more than twenty acres of unplatted land belonging
18 to any one person be taken within the corporate limits of (~~municipal~~
19 ~~corporations of the fourth class~~) a town without the consent of the
20 owner of such unplatted land: PROVIDED FURTHER, That the original
21 incorporation of (~~municipal corporations of the fourth class~~) a town
22 shall be limited to an area of not more than one square mile and a
23 population as prescribed in RCW 35.01.040.

24 **Sec. 37.** RCW 35.21.422 and 1967 ex.s. c 52 s 1 are each amended to
25 read as follows:

26 Any city, located within a (~~class A~~) county with a population of
27 two hundred ten thousand or more west of the Cascades, owning and
28 operating a public utility and having facilities for the distribution
29 of electricity located outside its city limits, may provide for the

1 support of cities, towns, counties and taxing districts in which such
2 facilities are located, and enter into contracts with such county
3 therefor. Such contribution shall be based upon the amount of retail
4 sales of electricity, other than to governmental agencies, made by such
5 city in the areas of such cities, towns, counties or taxing districts
6 in which such facilities are located, and shall be divided among them
7 on the same basis as taxes on real and personal property therein are
8 divided.

9 **Sec. 38.** RCW 35.58.040 and 1971 ex.s. c 303 s 3 are each amended
10 to read as follows:

11 At the time of its formation no metropolitan municipal corporation
12 shall include only a part of any city, and every city shall be either
13 wholly included or wholly excluded from the boundaries of such
14 corporation. If subsequent to the formation of a metropolitan
15 municipal corporation a part only of any city shall be included within
16 the boundaries of a metropolitan municipal corporation such part shall
17 be deemed to be "unincorporated" for the purpose of selecting a member
18 of the metropolitan council pursuant to RCW 35.58.120(3) and such city
19 shall neither select nor participate in the selection of a member on
20 the metropolitan council pursuant to RCW 35.58.120.

21 Any metropolitan municipal corporation now existing or hereafter
22 created, within a (~~class A county contiguous to a class AA county or~~
23 ~~class AA~~) county with a population of from two hundred ten thousand to
24 less than one million bordering a county with a population of one
25 million or more, or within a county with a population of one million or
26 more, shall, upon May 21, 1971, as to metropolitan corporations
27 existing on such date or upon the date of formation as to metropolitan
28 corporations formed after May 21, 1971, have the same boundaries as
29 those of the respective central county of such metropolitan

1 corporation: PROVIDED, That the boundaries of such metropolitan
2 corporation may be enlarged after such date by annexation as provided
3 in chapter 35.58 RCW as now or hereafter amended. Any contiguous
4 metropolitan municipal corporations may be consolidated into a single
5 metropolitan municipal corporation upon such terms, for the purpose of
6 performing such metropolitan function or functions, and to be effective
7 at such time as may be approved by resolutions of the respective
8 metropolitan councils. In the event of such consolidation the
9 component city with the largest population shall be the central city of
10 such consolidated metropolitan municipal corporation and the component
11 county with the largest population shall be the central county of such
12 consolidated metropolitan municipal corporation.

13 **Sec. 39.** RCW 35.58.273 and 1990 c 42 s 316 are each amended to
14 read as follows:

15 (1) Through June 30, 1992, any municipality (~~(within a class AA~~
16 ~~county, or within a class A county contiguous to a class AA county, or~~
17 ~~within a second class county contiguous to a class A county that is~~
18 ~~contiguous to a class AA county)), as defined in this subsection, is
19 authorized to levy and collect a special excise tax not exceeding .7824
20 percent and beginning July 1, 1992, .725 percent on the fair market
21 value of every motor vehicle owned by a resident of such municipality
22 for the privilege of using such motor vehicle provided that in no event
23 shall the tax be less than one dollar and, subject to RCW 82.44.150
24 ~~((+5) and (+6))~~ (3) and (4), the amount of such tax shall be credited
25 against the amount of the excise tax levied by the state under RCW
26 82.44.020. As used in this subsection, the term "municipality" means
27 a municipality that is located within one of the following counties:
28 (a) A county with a population of one million or more; (b) a county
29 with a population of from two hundred ten thousand to less than one~~

1 million bordering a county with a population of one million or more; or
2 (c) a county with a population of from one hundred twenty-five thousand
3 to less than two hundred ten thousand, that both borders a county with
4 a population as described under (b) of this subsection and has a
5 portion of its common boundary with that county intersected by an
6 interstate highway.

7 (2) Through June 30, 1992, any other municipality is authorized to
8 levy and collect a special excise tax not exceeding .815 percent, and
9 beginning July 1, 1992, .725 percent on the fair market value of every
10 motor vehicle owned by a resident of such municipality for the
11 privilege of using such motor vehicle provided that in no event shall
12 the tax be less than one dollar and, subject to RCW 82.44.150 (3) and
13 (4), the amount of such tax shall be credited against the amount of the
14 excise tax levied by the state under RCW 82.44.020. Before utilization
15 of any excise tax moneys collected under authorization of this section
16 for acquisition of right of way or construction of a mass transit
17 facility on a separate right of way the municipality shall adopt rules
18 affording the public an opportunity for "corridor public hearings" and
19 "design public hearings" as herein defined, which rule shall provide in
20 detail the procedures necessary for public participation in the
21 following instances: (a) Prior to adoption of location and design
22 plans having a substantial social, economic or environmental effect
23 upon the locality upon which they are to be constructed or (b) on such
24 mass rapid transit systems operating on a separate right of way
25 whenever a substantial change is proposed relating to location or
26 design in the adopted plan. In adopting rules the municipality shall
27 adhere to the provisions of the Administrative Procedure Act.

28 (3) A "corridor public hearing" is a public hearing that: (a) Is
29 held before the municipality is committed to a specific mass transit
30 route proposal, and before a route location is established; (b) is held

1 to afford an opportunity for participation by those interested in the
2 determination of the need for, and the location of, the mass rapid
3 transit system; (c) provides a public forum that affords a full
4 opportunity for presenting views on the mass rapid transit system route
5 location, and the social, economic and environmental effects on that
6 location and alternate locations: PROVIDED, That such hearing shall
7 not be deemed to be necessary before adoption of an overall mass rapid
8 transit system plan by a vote of the electorate of the municipality.

9 (4) A "design public hearing" is a public hearing that: (a) Is
10 held after the location is established but before the design is
11 adopted; and (b) is held to afford an opportunity for participation by
12 those interested in the determination of major design features of the
13 mass rapid transit system; and (c) provides a public forum to afford a
14 full opportunity for presenting views on the mass rapid transit system
15 design, and the social, economic, environmental effects of that design
16 and alternate designs.

17 **Sec. 40.** RCW 35.81.010 and 1975 c 3 s 1 are each amended to read
18 as follows:

19 The following terms wherever used or referred to in this chapter,
20 shall have the following meanings, unless a different meaning is
21 clearly indicated by the context:

22 (1) "Agency" or "urban renewal agency" shall mean a public agency
23 created by RCW 35.81.160.

24 (2) "Blighted area" shall mean an area which, by reason of the
25 substantial physical dilapidation, deterioration, defective
26 construction, material, and arrangement and/or age or obsolescence of
27 buildings or improvements, whether residential or nonresidential,
28 inadequate provision for ventilation, light, proper sanitary
29 facilities, or open spaces as determined by competent appraisers on the

1 basis of an examination of the building standards of the municipality;
2 inappropriate or mixed uses of land or buildings; high density of
3 population and overcrowding; defective or inadequate street layout;
4 faulty lot layout in relation to size, adequacy, accessibility or
5 usefulness; excessive land coverage; insanitary or unsafe conditions;
6 deterioration of site; diversity of ownership; tax or special
7 assessment delinquency exceeding the fair value of the land; defective
8 or unusual conditions of title; improper subdivision or obsolete
9 platting; or the existence of conditions which endanger life or
10 property by fire or other causes, or any combination of such factors,
11 is conducive to ill health, transmission of disease, infant mortality,
12 juvenile delinquency and crime; substantially impairs or arrests the
13 sound growth of the city or its environs, retards the provision of
14 housing accommodations or constitutes an economic or social liability,
15 and/or is detrimental, or constitutes a menace, to the public health,
16 safety, welfare, and morals in its present condition and use.

17 (3) "Bonds" shall mean any bonds, notes, or debentures (including
18 refunding obligations) herein authorized to be issued.

19 (4) "Clerk" shall mean the clerk or other official of the
20 municipality who is the custodian of the official records of such
21 municipality.

22 (5) "Federal government" shall include the United States of America
23 or any agency or instrumentality, corporate or otherwise, of the United
24 States of America.

25 (6) "Local governing body" shall mean the council or other
26 legislative body charged with governing the municipality.

27 (7) "Mayor" shall mean the chief executive of a city((~~τ~~)) or town,
28 or ((~~class AA county or the board of commissioners~~)) the elected
29 executive, if any, of any county operating under a charter, or the
30 county legislative authority of any other county.

1 (8) "Municipality" shall mean any incorporated city or town, or any
2 county, in the state.

3 (9) "Obligee" shall include any bondholder, agent or trustees for
4 any bondholders, or lessor demising to the municipality property used
5 in connection with an urban renewal project, or any assignee or
6 assignees of such lessor's interest or any part thereof, and the
7 federal government when it is a party to any contract with the
8 municipality.

9 (10) "Person" shall mean any individual, firm, partnership,
10 corporation, company, association, joint stock association, or school
11 district; and shall include any trustee, receiver, assignee, or other
12 person acting in a similar representative capacity.

13 (11) "Public body" shall mean the state or any municipality,
14 township, board, commission, district, or any other subdivision or
15 public body of the state.

16 (12) "Public officer" shall mean any officer who is in charge of
17 any department or branch of the government of the municipality relating
18 to health, fire, building regulations, or to other activities
19 concerning dwellings in the municipality.

20 (13) "Real property" shall include all lands, including
21 improvements and fixtures thereon, and property of any nature
22 appurtenant thereto, or used in connection therewith, and every estate,
23 interest, right and use, legal or equitable, therein, including terms
24 for years and liens by way of judgment, mortgage or otherwise.

25 (14) "Redevelopment" may include (a) acquisition of a blighted area
26 or portion thereof; (b) demolition and removal of buildings and
27 improvements; (c) installation, construction or reconstruction of
28 streets, utilities, parks, playgrounds, and other improvements
29 necessary for carrying out in the area the urban renewal provisions of
30 this chapter in accordance with the urban renewal plan, and (d) making

1 the land available for development or redevelopment by private
2 enterprise or public agencies (including sale, initial leasing, or
3 retention by the municipality itself) at its fair value for uses in
4 accordance with the urban renewal plan.

5 (15) "Rehabilitation" may include the restoration and renewal of a
6 blighted area or portion thereof, in accordance with an urban renewal
7 plan, by (a) carrying out plans for a program of voluntary or
8 compulsory repair and rehabilitation of buildings or other
9 improvements; (b) acquisition of real property and demolition or
10 removal of buildings and improvements thereon where necessary to
11 eliminate unhealthful, insanitary or unsafe conditions, lessen density,
12 reduce traffic hazards, eliminate obsolete or other uses detrimental to
13 the public welfare, or otherwise to remove or prevent the spread of
14 blight or deterioration, or to provide land for needed public
15 facilities; (c) installation, construction or reconstruction of
16 streets, utilities, parks, playgrounds, and other improvements
17 necessary for carrying out in the area the urban renewal provisions of
18 this chapter; and (d) the disposition of any property acquired in such
19 urban renewal area (including sale, initial leasing, or retention by
20 the municipality itself) at its fair value for uses in accordance with
21 such urban renewal plan.

22 (16) "Urban renewal area" means a blighted area which the local
23 governing body designates as appropriate for an urban renewal project
24 or projects.

25 (17) "Urban renewal plan" means a plan, as it exists from time to
26 time, for an urban renewal project, which plan (a) shall conform to the
27 comprehensive plan or parts thereof for the municipality as a whole;
28 and (b) shall be sufficiently complete to indicate such land
29 acquisition, demolition, and removal of structures, redevelopment,
30 improvements, and rehabilitation as may be proposed to be carried out

1 in the urban renewal area, zoning and planning changes, if any, land
2 uses, maximum densities, building requirements, and the plan's
3 relationship to definite local objectives respecting appropriate land
4 uses, improved traffic, public transportation, public utilities,
5 recreational and community facilities, and other public improvements.

6 (18) "Urban renewal project" may include undertakings or activities
7 of a municipality in an urban renewal area for the elimination and for
8 the prevention of the development or spread of blight, and may involve
9 redevelopment in an urban renewal area, or rehabilitation in an urban
10 renewal area, or any combination or part thereof in accordance with an
11 urban renewal plan.

12 **Sec. 41.** RCW 35.82.285 and 1973 1st ex.s. c 198 s 2 are each
13 amended to read as follows:

14 Housing authorities of (~~(first class counties created under this~~
15 ~~chapter)) each county with a population of one hundred twenty-five
16 thousand or more may establish and operate group homes or halfway
17 houses to serve juveniles released from state juvenile or correctional
18 institutions, or to serve the developmentally disabled as defined in 42
19 U.S.C. 2670, 85 Stat. 1316. Such authorities may contract for the
20 operation of facilities so established, with qualified nonprofit
21 organizations as agent of the authority.~~

22 Action under this section shall be taken by the authority only
23 after a public hearing as provided by chapter 42.30 RCW. In exercising
24 this power the authority shall not be empowered to acquire property by
25 eminent domain, and the facilities established shall comply with all
26 zoning, building, fire, and health regulations and procedures
27 applicable in the locality.

1 **Sec. 42.** RCW 36.01.130 and 1981 c 75 s 2 are each amended to read
2 as follows:

3 The imposition of controls on rent is of state-wide significance
4 and is preempted by the state. No county (~~(of any class)~~) may enact,
5 maintain or enforce ordinances or other provisions which regulate the
6 amount of rent to be charged for single family or multiple unit
7 residential rental structures or sites other than properties in public
8 ownership, under public management, or properties providing low-income
9 rental housing under joint public-private agreements for the financing
10 or provision of such low-income rental housing. This section shall not
11 be construed as prohibiting any county from entering into agreements
12 with private persons which regulate or control the amount of rent to be
13 charged for rental properties.

14 **Sec. 43.** RCW 36.13.020 and 1977 ex.s. c 110 s 6 are each amended
15 to read as follows:

16 (~~Whenever~~) The legislative authority of any county (~~(determines~~
17 ~~that its county has sufficient population to entitle it to advance to~~
18 ~~a higher class, and passes a resolution setting forth its estimate as~~
19 ~~to the population and the classification to which the county is~~
20 ~~entitled by reason of such estimated population it)~~) may order a county
21 census to be taken of all the inhabitants of the county. The expense
22 of such census enumeration shall be paid from the county current
23 expense fund.

24 **Sec. 44.** RCW 36.13.100 and 1963 c 4 s 36.13.100 are each amended
25 to read as follows:

26 Whenever any provision of law refers to the population of a county
27 for purposes of distributing funds (~~(are allocated to counties on the~~
28 ~~basis of population)~~) or for any other purpose, the population of the

1 respective counties shall be determined by the most recent census,
2 population estimate ((or survey by the federal bureau of census or any
3 state board or commission authorized to make such a census, estimate or
4 survey. If a maximum percent of error is shown on any such survey or
5 estimate, the population of the county shall be computed by deducting
6 from the estimate fifty percent of the maximum possible error)) by the
7 office of financial management, or special county census as certified
8 by the office of financial management.

9 **Sec. 45.** RCW 36.16.030 and 1963 c 4 s 36.16.030 are each amended
10 to read as follows:

11 In every county there shall be elected from among the qualified
12 voters of the county a county assessor, a county auditor, a county
13 clerk, a county coroner, three county commissioners, a county
14 prosecuting attorney, a county sheriff and a county treasurer(~~(:~~
15 ~~PROVIDED, That in counties of the fourth, fifth, sixth, seventh,~~
16 ~~eighth, and ninth classes)), except that in each county with a
17 population of less than forty thousand no coroner shall be elected and
18 the prosecuting attorney shall be ex officio coroner((:~~—PROVIDED
19 ~~FURTHER, That in ninth class counties no county auditor or assessor~~
20 ~~shall be elected and the county clerk shall be ex officio county~~
21 ~~auditor, and the county treasurer shall be ex officio county~~
22 ~~assessor)). Whenever the population of a county increases to forty
23 thousand or more, the prosecuting attorney shall continue as ex officio
24 coroner until a coroner is elected, at the next general election at
25 which the office of prosecuting attorney normally would be elected, and
26 assumes office as provided in RCW 29.04.170. Whenever the population
27 of a county decreases to less than forty thousand, the elected coroner
28 shall remain in office for the remainder of the term for which he or
29 she was elected, but no coroner shall be elected at the next election~~

1 at which that office would otherwise be filled and the prosecuting
2 attorney shall be the ex officio coroner.

3 **Sec. 46.** RCW 36.16.030 and 1990 c 252 s 8 are each amended to read
4 as follows:

5 Except as provided elsewhere in this section, in every county there
6 shall be elected from among the qualified voters of the county a county
7 assessor, a county auditor, a county clerk, a county coroner, three
8 county commissioners, a county prosecuting attorney, a county sheriff
9 and a county treasurer(~~(:—PROVIDED, That in counties of the fourth,~~
10 ~~fifth, sixth, seventh, eighth, and ninth classes)),~~ except that in each
11 county with a population of less than forty thousand no coroner shall
12 be elected and the prosecuting attorney shall be ex officio coroner(~~(:~~
13 ~~PROVIDED FURTHER, That in ninth class counties no county auditor or~~
14 ~~assessor shall be elected and the county clerk shall be ex officio~~
15 ~~county auditor, and the county treasurer shall be ex officio county~~
16 ~~assessor)).~~ Whenever the population of a county increases to forty
17 thousand or more, the prosecuting attorney shall continue as ex officio
18 coroner until a coroner is elected, at the next general election at
19 which the office of prosecuting attorney normally would be elected, and
20 assumes office as provided in RCW 29.04.170. Whenever the population
21 of a county decreases to less than forty thousand, the elected coroner
22 shall remain in office for the remainder of the term for which he or
23 she was elected, but no coroner shall be elected at the next election
24 at which that office would otherwise be filled and the prosecuting
25 attorney shall be the ex officio coroner. A noncharter county may have
26 five county commissioners as provided in RCW 36.32.010 and 36.32.055
27 through 36.32.0558.

1 **Sec. 47.** RCW 36.16.032 and 1973 1st ex.s. c 88 s 1 are each
2 amended to read as follows:

3 The office of county auditor may be combined with the office of
4 county clerk in ~~((counties of the eighth class))~~ each county with a
5 population of less than five thousand by unanimous resolution of the
6 ~~((board of))~~ county ~~((commissioners))~~ legislative authority passed
7 thirty days or more prior to the first day of filing for the primary
8 election for county offices. The salary of such office of county clerk
9 combined with the office of county auditor ~~((shall be nine thousand~~
10 ~~four hundred dollars.~~

11 ~~Beginning January 1, 1974, the salary of such office)), and the~~
12 salary of the office of county auditor that is not combined with the
13 office of county clerk, shall be not less than ten thousand three
14 hundred dollars. The county legislative authority of such county is
15 authorized to increase or decrease the salary of such office:
16 PROVIDED, That the legislative authority of the county shall not reduce
17 the salary of any official below the amount which such official was
18 receiving on January 1, 1973.

19 **Sec. 48.** RCW 36.16.050 and 1971 c 71 s 1 are each amended to read
20 as follows:

21 Every county official before he or she enters upon the duties of
22 his or her office shall furnish a bond conditioned that he or she will
23 faithfully perform the duties of his or her office and account for and
24 pay over all money which may come into his or her hands by virtue of
25 his or her office, and that he or she, or his or her executors or
26 administrators, will deliver to his or her successor safe and undefaced
27 all books, records, papers, seals, equipment, and furniture belonging
28 to his or her office. Bonds of elective county officers shall be as
29 follows:

1 (1) Assessor: Amount to be fixed and sureties to be approved by
2 proper county legislative authority;

3 (2) Auditor: Amount to be fixed at not less than ten thousand
4 dollars and sureties to be approved by the proper county legislative
5 authority;

6 (3) Clerk: Amount to be fixed in a penal sum not less than double
7 the amount of money liable to come into his or her hands and sureties
8 to be approved by the judge or a majority of the judges presiding over
9 the court of which he or she is clerk: PROVIDED, That the maximum bond
10 fixed for the clerk shall not exceed in amount that required for the
11 treasurer in a county of that class;

12 (4) Coroner: Amount to be fixed at not less than five thousand
13 dollars with sureties to be approved by the proper county legislative
14 authority;

15 (5) Members of the proper county legislative authority: Sureties to
16 be approved by the county clerk and the amounts to be:

17 (~~(1)~~) (a) In (~~class A, AA, counties and first class counties~~)
18 each county with a population of one hundred twenty-five thousand or
19 more, twenty-five thousand dollars;

20 (~~(2)~~) (b) In (~~second class counties~~) each county with a
21 population of from seventy thousand to less than one hundred twenty-
22 five thousand, twenty-two thousand five hundred dollars;

23 (~~(3)~~) (c) In (~~third class counties~~) each county with a
24 population of from forty to less than seventy thousand, twenty thousand
25 dollars;

26 (~~(4)~~) (d) In (~~fourth class counties~~) each county with a
27 population of from eighteen thousand to less than forty thousand,
28 fifteen thousand dollars;

1 ~~((5))~~ (e) In ~~((fifth class counties))~~ each county with a
2 population of from twelve thousand to less than eighteen thousand, ten
3 thousand dollars;

4 ~~((6))~~ (f) In ~~((sixth class counties))~~ each county with a
5 population of from eight thousand to less than twelve thousand, seven
6 thousand five hundred dollars;

7 ~~((7))~~ (g) In ~~((seventh and eighth class))~~ all other counties,
8 five thousand dollars;

9 ~~((8) In ninth class counties, two thousand dollars;))~~

10 (6) Prosecuting attorney: In the amount of five thousand dollars
11 with sureties to be approved by the proper county legislative
12 authority;

13 (7) Sheriff: Amount to be fixed and bond approved by the proper
14 county legislative authority at not less than five thousand nor more
15 than fifty thousand dollars; surety to be a surety company authorized
16 to do business in this state;

17 (8) Treasurer: Sureties to be approved by the proper county
18 legislative authority and the amounts to be fixed by the proper county
19 legislative authority at double the amount liable to come into the
20 treasurer's hands during his or her term, the maximum amount of the
21 bond, however, not to exceed:

22 ~~((1))~~ (a) In ~~((class A, AA, counties))~~ each county with a
23 population of two hundred ten thousand or more, two hundred fifty
24 thousand dollars;

25 ~~((2))~~ (b) In ~~((first class counties))~~ each county with a
26 population of from one hundred twenty-five thousand to less than two
27 hundred ten thousand, two hundred thousand dollars;

28 ~~((3))~~ (c) In ~~((second, third and fourth class counties))~~ each
29 county with a population of from eighteen thousand to less than one
30 hundred twenty-five thousand, one hundred fifty thousand dollars;

1 ~~((4))~~ (d) In all other counties, one hundred thousand dollars.

2 The treasurer's bond shall be conditioned that all moneys received
3 by him or her for the use of the county shall be paid as the proper
4 county legislative authority shall from time to time direct, except
5 where special provision is made by law for the payment of such moneys,
6 by order of any court, or otherwise, and for the faithful discharge of
7 his or her duties.

8 Bonds for other than elective officials, if deemed necessary by the
9 proper county legislative authority, shall be in such amount and form
10 as such legislative authority shall determine.

11 In the approval of official bonds, the ~~((chairman))~~ chair may act
12 for the ~~((board of))~~ county ~~((commissioners))~~ legislative authority if
13 it is not in session.

14 **Sec. 49.** RCW 36.17.010 and 1963 c 4 s 36.17.010 are each amended
15 to read as follows:

16 The county officers of the counties of this state ~~((, according to
17 their class,))~~ shall receive a salary for the services required of them
18 by law, or by virtue of their office, which salary shall be full
19 compensation for all services of every kind and description rendered by
20 them.

21 **Sec. 50.** RCW 36.17.020 and 1973 1st ex.s. c 88 s 2 are each
22 amended to read as follows:

23 ~~((1) The salaries of the following county officers of class A
24 counties and counties of the first, second, third, fourth, fifth,
25 sixth, seventh, eighth and ninth classes, as determined by the last
26 preceding federal census, or as may be determined under the provisions
27 of RCW 36.13.020 to 36.13.075, inclusive, shall be per annum
28 respectively as follows:~~

1 Class A counties:— Auditor, sixteen thousand dollars; clerk,
2 sixteen thousand dollars; treasurer, sixteen thousand dollars; sheriff,
3 seventeen thousand seven hundred dollars; assessor, sixteen thousand
4 dollars; prosecuting attorney, twenty two thousand five hundred
5 dollars; members of board of county commissioners, seventeen thousand
6 seven hundred dollars; coroner, fifteen thousand dollars;

7 Counties of the first class:— Auditor, fourteen thousand five
8 hundred dollars; clerk, fourteen thousand five hundred dollars;
9 treasurer, fourteen thousand five hundred dollars; sheriff, sixteen
10 thousand dollars; assessor, fourteen thousand five hundred dollars;
11 prosecuting attorney, twenty two thousand five hundred dollars;
12 members of board of county commissioners, sixteen thousand dollars;
13 coroner, eight thousand dollars;

14 Counties of the second class: Auditor, thirteen thousand five
15 hundred dollars; clerk, thirteen thousand five hundred dollars;
16 treasurer, thirteen thousand five hundred dollars; sheriff, thirteen
17 thousand five hundred fifty dollars; assessor, thirteen thousand five
18 hundred dollars; prosecuting attorney, twenty one thousand five hundred
19 dollars; members of board of county commissioners, thirteen thousand
20 five hundred dollars; coroner, five thousand dollars;

21 Counties of the third class: Auditor, twelve thousand five hundred
22 dollars; clerk, twelve thousand five hundred dollars; treasurer, twelve
23 thousand five hundred dollars; assessor, twelve thousand five hundred
24 dollars; sheriff, twelve thousand five hundred dollars; prosecuting
25 attorney, twenty one thousand five hundred dollars; members of the
26 board of county commissioners, twelve thousand five hundred dollars;
27 coroner, three thousand six hundred dollars;

28 Counties of the fourth class:— Auditor, eleven thousand dollars;
29 clerk, eleven thousand dollars; treasurer, eleven thousand dollars;
30 assessor, eleven thousand dollars; sheriff, eleven thousand dollars;

1 prosecuting attorney, in such a county in which there is no state
2 university, thirteen thousand dollars; prosecuting attorney, in such a
3 county in which there is a state university or college, fifteen
4 thousand dollars; members of the board of county commissioners, ten
5 thousand dollars;

6 Counties of the fifth class: Auditor, nine thousand one hundred
7 fifty dollars; clerk, nine thousand one hundred fifty dollars;
8 treasurer, nine thousand one hundred fifty dollars; sheriff, ten
9 thousand two hundred dollars; assessor, nine thousand one hundred fifty
10 dollars; prosecuting attorney, twelve thousand dollars; members of the
11 board of county commissioners, eight thousand five hundred dollars;

12 Counties of the sixth class: Auditor, nine thousand one hundred
13 fifty dollars; clerk, nine thousand one hundred fifty dollars;
14 treasurer, nine thousand one hundred fifty dollars; assessor, nine
15 thousand one hundred fifty dollars; sheriff, ten thousand two hundred
16 dollars; prosecuting attorney, nine thousand dollars; members of the
17 board of county commissioners, six thousand four hundred dollars;

18 Counties of the seventh class: Auditor, eight thousand three
19 hundred dollars; clerk, eight thousand three hundred dollars;
20 treasurer, eight thousand three hundred dollars; assessor, eight
21 thousand three hundred dollars; sheriff, nine thousand five hundred
22 dollars; prosecuting attorney, nine thousand dollars; members of the
23 board of county commissioners, five thousand nine hundred fifty
24 dollars;

25 Counties of the eighth class: Auditor, eight thousand three
26 hundred dollars; clerk, eight thousand three hundred dollars;
27 treasurer, eight thousand three hundred dollars; assessor, eight
28 thousand three hundred dollars; sheriff, nine thousand five hundred
29 dollars; prosecuting attorney, nine thousand dollars; members of board
30 of county commissioners, five thousand nine hundred fifty dollars;

1 ~~Counties of the ninth class: Auditor clerk, seven thousand four~~
2 ~~hundred fifty dollars; sheriff, eight thousand five hundred dollars;~~
3 ~~treasurer-assessor, seven thousand four hundred fifty dollars;~~
4 ~~prosecuting attorney, nine thousand dollars; members of the board of~~
5 ~~county commissioners, five thousand five hundred dollars.~~

6 ~~(2) The salaries of the following county officers in counties with~~
7 ~~a population over five hundred thousand shall be per annum respectively~~
8 ~~as follows:))~~

9 The county legislative authority of each county is authorized to
10 establish the salaries of the elected officials of the county. One-
11 half of the salary of each prosecuting attorney shall be paid by the
12 state. The annual salary of a county elected official shall not be
13 less than the following:

14 (1) In each county with a population of one million or more:
15 Auditor, clerk, treasurer, sheriff, members of ~~((board of))~~ the county
16 ~~((commissioners, coroners))~~ legislative authority, and coroner,
17 eighteen thousand dollars; assessor, nineteen thousand dollars; and
18 prosecuting attorney, ~~((twenty-seven thousand five hundred dollars.~~

19 ~~Beginning January 1, 1974:~~

20 ~~The salaries of the following county officers of class AA and A~~
21 ~~counties and counties of the first, second, third, fourth, fifth,~~
22 ~~sixth, seventh, eighth and ninth classes, as determined by the last~~
23 ~~preceding federal census, or as may be determined under the provisions~~
24 ~~of RCW 36.13.020 to 36.13.075, inclusive, shall be per annum~~
25 ~~respectively as follows:~~

26 ~~Class AA counties: Prosecuting attorney,))~~ thirty thousand three
27 hundred dollars;

28 ~~((Class A counties))~~ (2) In each county with a population of from
29 two hundred ten thousand to less than one million: Auditor, seventeen
30 thousand six hundred dollars; clerk, seventeen thousand six hundred

1 dollars; treasurer, seventeen thousand six hundred dollars; sheriff,
2 nineteen thousand five hundred dollars; assessor, seventeen thousand
3 six hundred dollars; prosecuting attorney, twenty-four thousand eight
4 hundred dollars; members of ~~((board of))~~ the county ~~((commissioners))~~
5 legislative authority, nineteen thousand five hundred dollars; and
6 coroner, sixteen thousand five hundred dollars;

7 ~~((Counties of the first class))~~ (3) In each county with a
8 population of from one hundred twenty-five thousand to less than two
9 hundred ten thousand: Auditor, sixteen thousand dollars; clerk, sixteen
10 thousand dollars; treasurer, sixteen thousand dollars; sheriff,
11 seventeen thousand six hundred dollars; assessor, sixteen thousand
12 dollars; prosecuting attorney, twenty-four thousand eight hundred
13 dollars; members of ~~((board of))~~ the county ~~((commissioners))~~
14 legislative authority, seventeen thousand six hundred dollars; and
15 coroner, eight thousand eight hundred dollars;

16 ~~((Counties of the second class))~~ (4) In each county with a
17 population of from seventy thousand to less than one hundred twenty-
18 five thousand: Auditor, fourteen thousand nine hundred dollars; clerk,
19 fourteen thousand nine hundred dollars; treasurer, fourteen thousand
20 nine hundred dollars; assessor, fourteen thousand nine hundred dollars;
21 sheriff, fourteen thousand nine hundred dollars; prosecuting attorney,
22 twenty-three thousand seven hundred dollars; members of the ~~((board~~
23 ~~of))~~ county ~~((commissioners))~~ legislative authority, fourteen thousand
24 nine hundred dollars; and coroner, five thousand five hundred dollars;

25 ~~((Counties of the third class))~~ (5) In each county with a
26 population of from forty thousand to less than seventy thousand:
27 Auditor, thirteen thousand eight hundred dollars; clerk, thirteen
28 thousand eight hundred dollars; treasurer, thirteen thousand eight
29 hundred dollars; assessor, thirteen thousand eight hundred dollars;
30 sheriff, thirteen thousand eight hundred dollars; prosecuting attorney,

1 twenty-three thousand seven hundred dollars; members of the ((board
2 of)) county ((commissioners)) legislative authority, thirteen thousand
3 eight hundred dollars; and coroner, four thousand dollars;

4 ((Counties of the fourth class)) (6) In each county with a
5 population of from eighteen thousand to less than forty thousand:
6 Auditor, twelve thousand one hundred dollars; clerk, twelve thousand
7 one hundred dollars; treasurer, twelve thousand one hundred dollars;
8 sheriff, twelve thousand one hundred dollars; assessor, twelve thousand
9 one hundred dollars; prosecuting attorney in such a county in which
10 there is no state university or college, fourteen thousand three
11 hundred dollars; in such a county in which there is a state university
12 or college, sixteen thousand five hundred dollars; and members of the
13 ((board of)) county ((commissioners)) legislative authority, eleven
14 thousand dollars;

15 ((Counties of the fifth class)) (7) In each county with a
16 population of from twelve thousand to less than eighteen thousand:
17 Auditor, ten thousand one hundred dollars; clerk, ten thousand one
18 hundred dollars; treasurer, ten thousand one hundred dollars; assessor,
19 ten thousand one hundred dollars; sheriff, eleven thousand two hundred
20 dollars; prosecuting attorney, thirteen thousand two hundred dollars;
21 and members of the ((board of)) county ((commissioners)) legislative
22 authority, nine thousand four hundred dollars;

23 ((Counties of the sixth class)) (8) In each county with a
24 population of from eight thousand to less than twelve thousand:
25 Auditor, ten thousand one hundred dollars; clerk, ten thousand one
26 hundred dollars; treasurer, ten thousand one hundred dollars; assessor,
27 ten thousand one hundred dollars; sheriff, eleven thousand two hundred
28 dollars; prosecuting attorney, nine thousand nine hundred dollars; and
29 members of the ((board of)) county ((commissioners)) legislative
30 authority, seven thousand dollars;

1 (~~Counties of the seventh class~~) (9) In each county with a
2 population of from five thousand to less than eight thousand: Auditor,
3 nine thousand one hundred dollars; clerk, nine thousand one hundred
4 dollars; treasurer, nine thousand one hundred dollars; assessor, nine
5 thousand one hundred dollars; sheriff, ten thousand five hundred
6 dollars; prosecuting attorney, nine thousand nine hundred dollars; and
7 members of (~~board of~~) the county (~~commissioners~~) legislative
8 authority, six thousand five hundred dollars;

9 (~~Counties of the eighth class~~) (10) In each other county:
10 Auditor, nine thousand one hundred dollars; clerk, nine thousand one
11 hundred dollars; treasurer, nine thousand one hundred dollars; sheriff,
12 ten thousand five hundred dollars; assessor, nine thousand one hundred
13 dollars; prosecuting attorney, nine thousand nine hundred dollars; and
14 members of the (~~board of~~) county (~~commissioners~~) legislative
15 authority, six thousand five hundred dollars(;

16 ~~Counties of the ninth class: Auditor clerk, eight thousand two~~
17 ~~hundred dollars; treasurer assessor, eight thousand two hundred~~
18 ~~dollars; sheriff, nine thousand four hundred dollars; prosecuting~~
19 ~~attorney, nine thousand nine hundred dollars; members of the board of~~
20 ~~county commissioners, six thousand one hundred dollars.~~

21 ~~The county legislative authority of such county is authorized to~~
22 ~~increase or decrease the salary of such office: PROVIDED, That the~~
23 ~~legislative authority of the county shall not reduce the salary of any~~
24 ~~official below the amount which such official was receiving on January~~
25 ~~1, 1973.~~

26 ~~One half of the salary of each prosecuting attorney shall be paid~~
27 ~~by the state)).~~

28 **Sec. 51.** RCW 36.17.040 and 1988 c 281 s 9 are each amended to read
29 as follows:

1 The salaries of county officers and employees of counties other
2 than counties ((of the eighth and ninth classes)) with a population of
3 less than five thousand may be paid twice monthly out of the county
4 treasury, and the county auditor, for services rendered from the first
5 to the fifteenth day, inclusive, may, not later than the last day of
6 the month, draw a warrant upon the county treasurer in favor of each of
7 such officers and employees for the amount of salary due him or her,
8 and such auditor, for services rendered from the sixteenth to the last
9 day, inclusive, may similarly draw a warrant, not later than the
10 fifteenth day of the following month, and the county legislative
11 authority, with the concurrence of the county auditor, may enter an
12 order on the record journal empowering him or her so to do: PROVIDED,
13 That if the county legislative authority does not adopt the semimonthly
14 pay plan, it, by resolution, shall designate the first pay period as a
15 draw day. Not more than forty percent of said earned monthly salary of
16 each such county officer or employee shall be paid to him or her on the
17 draw day and the payroll deductions of such officer or employee shall
18 not be deducted from the salary to be paid on the draw day. If
19 officers and employees are paid once a month, the draw day shall not be
20 later than the last day of each month. The balance of the earned
21 monthly salary of each such officer or employee shall be paid not later
22 than the fifteenth day of the following month.

23 In counties ((of eighth and ninth classes)) with a population of
24 less than five thousand salaries shall be paid monthly unless the
25 county legislative authority by resolution adopts the foregoing draw
26 day procedure.

27 **Sec. 52.** RCW 36.24.175 and 1969 ex.s. c 259 s 3 are each amended
28 to read as follows:

1 In (~~class AA, class A, first, second and third class counties~~)
2 each county with a population of forty thousand or more, no person
3 shall be qualified for the office of county coroner as provided for in
4 RCW 36.16.030 who is an owner or employee of any funeral home or
5 mortuary.

6 **Sec. 53.** RCW 36.27.060 and 1989 c 39 s 1 are each amended to read
7 as follows:

8 (1) The prosecuting (~~attorneys and their deputies of class four~~
9 ~~counties and counties with population larger than class four counties~~)
10 attorney, and deputy prosecuting attorneys, of each county with a
11 population of eighteen thousand or more shall serve full time and
12 except as otherwise provided for in this section shall not engage in
13 the private practice of law.

14 (2) Deputy prosecuting attorneys in (~~counties of the second class,~~
15 ~~third class, and fourth class~~) a county with a population of from
16 eighteen thousand to less than one hundred twenty-five thousand may
17 serve part time and engage in the private practice of law if the
18 (~~board of~~) county (~~commissioners~~) legislative authority so
19 provides.

20 (3) Except as provided in subsection (4) of this section, nothing
21 in this section prohibits a prosecuting attorney or deputy prosecuting
22 attorney in any county from:

23 (a) Performing legal services for himself or herself or his or her
24 immediate family; or

25 (b) Performing legal services of a charitable nature.

26 (4) The legal services identified in subsection (3) of this section
27 may not be performed if they would interfere with the duties of a
28 prosecuting attorney, or deputy prosecuting attorney and no services

1 that are performed shall be deemed within the scope of employment of a
2 prosecutor or deputy prosecutor.

3 **Sec. 54.** RCW 36.32.240 and 1985 c 169 s 8 are each amended to read
4 as follows:

5 In any county the ~~((board of))~~ county ~~((commissioners))~~ legislative
6 authority may by resolution establish a county purchasing department
7 and thereafter such department shall contract on a competitive basis
8 for all public works and purchase or lease on a competitive basis all
9 supplies, materials, and equipment, for all departments of the county,
10 exclusive of the county hospital, pursuant to the provisions hereof and
11 under such rules as the board shall by resolution adopt, except for
12 such contracts and purchases as shall be made pursuant to RCW
13 36.77.065, 36.77.070 and 36.82.130, and except for such contracts and
14 purchases for the printing of election ballots, voting machine labels
15 and all other election material containing the names of candidates and
16 ballot titles, and performance-based contracts as defined in RCW
17 39.35A.020(3), that are negotiated under chapter 39.35A RCW: PROVIDED,
18 That in ~~((all class AA or class A counties or in any county of the~~
19 ~~first class))~~ each county with a population of one hundred twenty-five
20 thousand or more it shall be mandatory that a purchasing department be
21 established.

22 **Sec. 55.** RCW 36.33.060 and 1973 1st ex.s. c 38 s 1 are each
23 amended to read as follows:

24 ~~((There is created in class AA and class A counties and counties of~~
25 ~~the first class a fund to be known as the salary fund, which shall))~~
26 The county legislative authority of each county with a population of
27 one hundred twenty-five thousand or more shall establish a salary fund
28 to be used for paying the salaries and wages of all officials and

1 employees. (~~In counties smaller than counties of the first class~~)
2 The county legislative authority of any other county may (~~by~~
3 ~~resolution~~) establish such a salary fund. Said salary fund shall be
4 reimbursed from any county funds or other funds under the jurisdiction
5 or control of the county treasurer or county auditor budgeted for
6 salaries and wages. The deposits shall be made in the exact amount of
7 the payroll or vouchers paid from the salary fund.

8 **Sec. 56.** RCW 36.33.065 and 1973 1st ex.s. c 38 s 2 are each
9 amended to read as follows:

10 The county legislative authority of any (~~class~~) county may
11 establish by resolution a fund to be known as the claims fund, which
12 shall be used for paying claims against the county. Such claims fund
13 shall be reimbursed from any county funds or other funds under the
14 jurisdiction or control of the county treasurer or county auditor
15 budgeted for such expenditures. The deposits shall be made in the
16 exact amount of the vouchers paid from the claims fund.

17 **Sec. 57.** RCW 36.56.010 and 1977 ex.s. c 277 s 1 are each amended
18 to read as follows:

19 Any (~~class AA or class A~~) county with a population of two hundred
20 ten thousand or more in which a metropolitan municipal corporation has
21 been established pursuant to chapter 35.58 RCW with boundaries
22 coterminous with the boundaries of the county may by ordinance or
23 resolution, as the case may be, of the county legislative authority
24 assume the rights, powers, functions, and obligations of such
25 metropolitan municipal corporation in accordance with the provisions of
26 this 1977 amendatory act. The definitions contained in RCW 35.58.020
27 shall be applicable to this chapter.

1 **Sec. 58.** RCW 36.57A.020 and 1975 1st ex.s. c 270 s 12 are each
2 amended to read as follows:

3 The county legislative authority of every (~~class A, class 1, class~~
4 ~~2, or class 3~~) county with a population of forty thousand or more
5 shall, and the legislative authority of every other county may, within
6 ninety days of July 1, 1975, and as often thereafter as it deems
7 necessary, and upon thirty days prior written notice addressed to the
8 legislative body of each city within the county and with thirty days
9 public notice, convene a public transportation improvement conference
10 to be attended by an elected representative selected by the legislative
11 body of each city, within such county, and by the county
12 (~~commissioners~~) legislative authority. Such conference shall be for
13 the purpose of evaluating the need for and the desirability of the
14 creation of a public transportation benefit area within certain
15 incorporated and unincorporated portions of the county to provide
16 public transportation services within such area. In those counties
17 where county officials believe the need for public transportation
18 service extends across county boundaries so as to provide public
19 transportation service in a metropolitan area, the county legislative
20 bodies of two or more neighboring counties may elect to convene a
21 multi- county conference. In addition, county-wide conferences may be
22 convened by resolution of the legislative bodies of two or more cities
23 within the county, not to exceed one in any twelve month period, or a
24 petition signed by at least ten percent of the registered voters in the
25 last general election of the city, county or city/county areas of a
26 proposed benefit area. The (~~chairman~~) chair of the conference shall
27 be elected from the members at large.

28 **Sec. 59.** RCW 36.58.030 and 1989 c 431 s 27 are each amended to
29 read as follows:

1 As used in RCW 36.58.030 through 36.58.060, the term "transfer
2 station" means a staffed, fixed supplemental facility used by persons
3 and route collection vehicles to deposit solid wastes into transfer
4 trailers for transportation to a disposal site. This does not include
5 detachable containers, except in (~~third class or smaller~~) counties
6 with a population of less than seventy thousand, and in any (~~first~~
7 ~~class~~) county with a population of from one hundred twenty-five
8 thousand to less than two hundred ten thousand that is located east of
9 the crest of the Cascade mountain range, where detachable containers
10 shall be securely fenced, staffed by an attendant during all hours when
11 the detachable container is open to the public, charge a tipping fee
12 that shall cover the cost of providing and for use of the service, and
13 shall be operated as a transfer station.

14 **Sec. 60.** RCW 36.58.100 and 1982 c 175 s 1 are each amended to read
15 as follows:

16 The legislative authority of any county (~~other than a class AA~~
17 ~~county~~) with a population of less than one million is authorized to
18 establish one or more solid waste disposal districts within the county
19 for the purpose of providing and funding solid waste disposal services.
20 No solid waste disposal district may include any area within the
21 corporate limits of a city or town unless the city or town governing
22 body adopts a resolution approving inclusion of the area within its
23 limits. The county legislative authority may modify the boundaries of
24 the solid waste disposal district by the same procedure used to
25 establish the district. A solid waste disposal district may be
26 dissolved by the county legislative authority after holding a hearing
27 as provided in RCW 36.58.110.

1 As used in RCW 36.58.100 through 36.58.150 the term "county"
2 includes all counties other than (~~class AA counties~~) a county with a
3 population of one million or more.

4 A solid waste disposal district is a quasi-municipal corporation,
5 an independent taxing "authority" within the meaning of Article VII,
6 section 1 of the state Constitution, and a "taxing district" within the
7 meaning of Article VII, section 2 of the state Constitution.

8 A solid waste disposal district shall constitute a body corporate
9 and shall possess all the usual powers of a corporation for public
10 purposes as well as all other powers that may now or hereafter be
11 specifically conferred by statute: PROVIDED, That a solid waste
12 disposal district shall not have the power of eminent domain.

13 The county legislative authority shall be the governing body of a
14 solid waste disposal district. The electors of a solid waste disposal
15 district shall be all registered voters residing within the district.

16 **Sec. 61.** RCW 36.64.060 and 1985 c 7 s 105 are each amended to read
17 as follows:

18 Whenever the (~~board of county commissioners~~) county legislative
19 authority of a county (~~of the first class~~) with a population of one
20 hundred twenty-five thousand or more deems it for the interest of the
21 county to construct or to aid the United States in constructing a canal
22 to connect any bodies of water within the county, such county may
23 construct such canal or aid the United States in constructing it and
24 incur indebtedness for such purpose to an amount not exceeding five
25 hundred thousand dollars and issue its negotiable bonds therefor in the
26 manner and form provided in RCW 36.67.010. Such construction or aid in
27 construction is a county purpose.

1 **Sec. 62.** RCW 36.64.070 and 1965 c 24 s 1 are each amended to read
2 as follows:

3 Any (~~class AA or class A~~) county with a population of two hundred
4 ten thousand or more may contract with any city or cities within such
5 county for the financing, erection, ownership, use, lease, operation,
6 control or maintenance of any building or buildings, including open
7 spaces, off-street parking facilities for the use of county and city
8 employees and persons doing business with such county or city, plazas
9 and other improvements incident thereto, for county or city, or
10 combined county-city, or other public use. Property for such buildings
11 and related improvements may be acquired by either such county or city
12 or by both by lease, purchase, donation, exchange, and/or gift or by
13 eminent domain in the manner provided by law for the exercise of such
14 power by counties and cities respectively and any property acquired
15 hereunder, together with the improvements thereon, may be sold,
16 exchanged or leased, as the interests of said county, city or cities
17 may from time to time require.

18 **Sec. 63.** RCW 36.69.010 and 1990 c 32 s 1 are each amended to read
19 as follows:

20 Park and recreation districts are hereby authorized to be formed
21 (~~in each and every class of county~~) as municipal corporations for the
22 purpose of providing leisure time activities and facilities and
23 recreational facilities, of a nonprofit nature as a public service to
24 the residents of the geographical areas included within their
25 boundaries.

26 The term "recreational facilities" means parks, playgrounds,
27 gymnasiums, swimming pools, field houses, bathing beaches, stadiums,
28 golf courses, automobile race tracks and drag strips, coliseums for the
29 display of spectator sports, public campgrounds, boat ramps and

1 launching sites, public hunting and fishing areas, arboretums, bicycle
2 and bridle paths, senior citizen centers, community centers, and other
3 recreational facilities.

4 **Sec. 64.** RCW 36.78.020 and 1965 ex.s. c 120 s 2 are each amended
5 to read as follows:

6 "Standards of good practice" shall mean general and uniform
7 practices formulated and adopted by the board relating to the
8 administration of county roads (~~((for the several classes of counties))~~)
9 which shall apply to engineering, maintenance, traffic control, safety,
10 planning, programming, road classification, road inventories, budgeting
11 and accounting procedures, equipment policies, and personnel policies.

12 **Sec. 65.** RCW 36.78.040 and 1965 ex.s. c 120 s 4 are each amended
13 to read as follows:

14 Six members of the county road administration board shall be county
15 (~~((commissioners))~~) legislative authority members and three members shall
16 be county engineers. If any member, during the term for which he or
17 she is appointed ceases to be either a (~~((county commissioner))~~) member
18 of a county legislative authority or a county engineer, as the case may
19 be, his or her membership on the county road administration board is
20 likewise terminated. Three members of the board shall be from counties
21 (~~((of the following classes:—Class AA, class A, or first class))~~) with
22 a population of one hundred twenty-five thousand or more. Four members
23 shall be from counties (~~((of the following classes:—Second class, third~~
24 ~~class, fourth class, or fifth class))~~) with a population of from twelve
25 thousand to less than one hundred twenty-five thousand. Two members
26 shall be from counties (~~((of the following classes:—Sixth class,~~
27 ~~seventh class, eighth class, or ninth class))~~) with a population of less

1 than twelve thousand. Not more than one member of the board shall be
2 from any one county.

3 **Sec. 66.** RCW 36.79.140 and 1990 c 42 s 104 are each amended to
4 read as follows:

5 At the time the board reviews the six-year program of each county
6 each even-numbered year, it shall consider and shall approve for
7 inclusion in its recommended budget, as required by RCW 36.79.130, the
8 portion of the rural arterial construction program scheduled to be
9 performed during the biennial period beginning the following July 1st.
10 Subject to the appropriations actually approved by the legislature, the
11 board shall as soon as feasible approve rural arterial trust account
12 funds to be spent during the ensuing biennium for preliminary proposals
13 in priority sequence as established pursuant to RCW 36.79.090. Only
14 those counties that during the preceding twelve months have spent all
15 revenues collected for road purposes only for such purposes, including
16 traffic law enforcement, as are allowed to the state by Article II,
17 section 40 of the state Constitution are eligible to receive funds from
18 the rural arterial trust account: PROVIDED HOWEVER, That counties ((of
19 ~~the seventh class~~)) with a population of from five thousand to less
20 than eight thousand are exempt from this eligibility restriction: AND
21 PROVIDED FURTHER, That counties expending revenues collected for road
22 purposes only on other governmental services after authorization from
23 the voters of that county under RCW 84.55.050 are also exempt from this
24 eligibility restriction. The board shall authorize rural arterial
25 trust account funds for the construction project portion of a project
26 previously authorized for a preliminary proposal in the sequence in
27 which the preliminary proposal has been completed and the construction
28 project is to be placed under contract. At such time the board may
29 reserve rural arterial trust account funds for expenditure in future

1 years as may be necessary for completion of preliminary proposals and
2 construction projects to be commenced in the ensuing biennium.

3 The board may, within the constraints of available rural arterial
4 trust funds, consider additional projects for authorization upon a
5 clear and conclusive showing by the submitting county that the proposed
6 project is of an emergent nature and that its need was unable to be
7 anticipated at the time the six-year program of the county was
8 developed. The proposed projects shall be evaluated on the basis of
9 the priority rating factors specified in RCW 36.79.080.

10 **Sec. 67.** RCW 36.80.010 and 1984 c 11 s 1 are each amended to read
11 as follows:

12 The ~~((board))~~ county legislative authority of each county with a
13 population of eight thousand or more shall employ a full-time county
14 road engineer residing in the county. ~~((In seventh, eighth, and ninth~~
15 ~~class counties it may employ))~~ The county legislative authority of each
16 other county shall employ a county engineer on either a full-time or
17 part-time basis who need not be a resident of the county, or ((it)) may
18 contract with ((other counties)) another county for the engineering
19 services of a county road engineer from such other ((counties)) county.

20 **Sec. 68.** RCW 36.93.030 and 1969 ex.s. c 111 s 1 are each amended
21 to read as follows:

22 (1) There is hereby created and established in each ~~((class AA and~~
23 ~~class A))~~ county with a population of two hundred ten thousand or more
24 a board to be known and designated as a "boundary review board".

25 (2) A boundary review board may be created and established in any
26 other ~~((class))~~ county in the following manner:

1 (a) The ~~((board of))~~ county ~~((commissioners))~~ legislative authority
2 may, by majority vote, adopt a resolution establishing a boundary
3 review board; or

4 (b) A petition seeking establishment of a boundary review board
5 signed by qualified electors residing in the county equal in number to
6 at least five percent of the votes cast in the county at the last
7 county general election may be filed with the county auditor.

8 Upon the filing of such a petition, the county auditor shall
9 examine the same and certify to the sufficiency of the signatures
10 thereon. No person may withdraw his or her name from a petition after
11 it has been filed with the auditor. Within thirty days after the
12 filing of such petition, the county auditor shall transmit the same to
13 the ~~((board of))~~ county ~~((commissioners))~~ legislative authority,
14 together with his or her certificate of sufficiency.

15 After receipt of a valid petition for the establishment of a
16 boundary review board, the ~~((board of))~~ county ~~((commissioners))~~
17 legislative authority shall submit the question of whether a boundary
18 review board should be established to the electorate at the next county
19 primary or county general election which occurs more than ~~((thirty))~~
20 forty-five days from the date of receipt of the petition. Notice of
21 the election shall be given as provided in RCW 29.27.080 and shall
22 include a clear statement of the proposal to be submitted.

23 If a majority of the persons voting on the proposition shall vote
24 in favor of the establishment of the boundary review board, such board
25 shall thereupon be deemed established.

26 **Sec. 69.** RCW 36.93.040 and 1967 c 189 s 4 are each amended to read
27 as follows:

28 For the purposes of this chapter, ~~((counties other than class AA~~
29 ~~and class A))~~ each county with a population of less than two hundred

1 ten thousand shall be deemed to have established a boundary review
2 board(~~(s)~~) on and after the date a proposition for establishing the
3 same has been approved at an election as provided for in RCW 36.93.030,
4 or on and after the date of adoption of a resolution of the (~~board~~
5 ~~of~~) county (~~(commissioners)~~) legislative authority establishing the
6 same as provided for in RCW 36.93.030.

7 **Sec. 70.** RCW 36.93.051 and 1989 c 84 s 17 are each amended to read
8 as follows:

9 The boundary review board in (~~(class AA counties)~~) each county with
10 a population of one million or more shall consist of eleven members
11 chosen as follows:

12 (1) Three persons shall be appointed by the governor;

13 (2) Three persons shall be appointed by the county appointing
14 authority;

15 (3) Three persons shall be appointed by the mayors of the cities
16 and towns located within the county; and

17 (4) Two persons shall be appointed by the board from nominees of
18 special districts in the county.

19 The governor shall designate one initial appointee to serve a term
20 of two years, and two initial appointees to serve terms of four years,
21 if the appointments are made in an odd-numbered year, or one initial
22 appointee to serve a term of one year, and two initial appointees to
23 serve terms of three years, if the appointments are made in an even-
24 numbered year, with the length of the term being calculated from the
25 first day of February in the year the appointment was made.

26 The county appointing authority shall designate one of its initial
27 appointees to serve a term of two years, and two of its initial
28 appointees to serve terms of four years, if the appointments are made
29 in an odd-numbered year, or one of its initial appointees to serve a

1 term of one year, and two of its initial appointees to serve terms of
2 three years, if the appointments are made in an even-numbered year,
3 with the length of the term being calculated from the first day of
4 February in the year the appointment was made.

5 The mayors making the initial city and town appointments shall
6 designate two of their initial appointees to serve terms of two years,
7 and one of their initial appointees to serve a term of four years, if
8 the appointments are made in an odd-numbered year, or two of their
9 initial appointees to serve terms of one year, and one of their initial
10 appointees to serve a term of three years, if the appointments are made
11 in an even-numbered year, with the length of the term being calculated
12 from the first day of February in the year the appointment was made.

13 The board shall make two initial appointments from the nominees of
14 special districts, with one appointee serving a term of four years and
15 one initial appointee serving a term of two years, if the appointments
16 are made in an odd-numbered year, or one initial appointee serving a
17 term of three years and one initial appointee serving a term of one
18 year if the appointments are made in an even-numbered year, with the
19 length of the term being calculated from the first day of March in the
20 year in which the appointment is made.

21 After the initial appointments, all appointees shall serve four-
22 year terms.

23 No appointee may be an official or employee of the county or a
24 governmental unit in the county, or a consultant or advisor on a
25 contractual or regular retained basis of the county, any governmental
26 unit in the county, or any agency or association thereof.

27 **Sec. 71.** RCW 36.93.061 and 1989 c 84 s 18 are each amended to read
28 as follows:

1 The boundary review board in (~~all counties other than class AA~~
2 ~~counties~~) each county with a population of less than one million shall
3 consist of five members chosen as follows:

4 (1) Two persons shall be appointed by the governor;

5 (2) One person shall be appointed by the county appointing
6 authority;

7 (3) One person shall be appointed by the mayors of the cities and
8 towns located within the county; and

9 (4) One person shall be appointed by the board from nominees of
10 special districts in the county.

11 The governor shall designate one initial appointee to serve a term
12 of two years, and one initial appointee to serve a term of four years,
13 if the appointments are made in an odd-numbered year, or one initial
14 appointee to serve a term of one year, and one initial appointee to
15 serve a term of three years, if the appointments are made in an even-
16 numbered year, with the length of a term being calculated from the
17 first day of February in the year that the appointment was made.

18 The initial appointee of the county appointing authority shall
19 serve a term of two years, if the appointment is made in an odd-
20 numbered year, or a term of one year, if the appointment is made in an
21 even-numbered year. The initial appointee by the mayors shall serve a
22 term of four years, if the appointment is made in an odd-numbered year,
23 or a term of three years, if the appointment is made in an even-
24 numbered year. The length of the term shall be calculated from the
25 first day in February in the year the appointment was made.

26 The board shall make one initial appointment from the nominees of
27 special districts to serve a term of two years if the appointment is
28 made in an odd-numbered year, or a term of one year if the appointment
29 is made in an even-numbered year, with the length of the term being

1 calculated from the first day of March in the year in which the
2 appointment is made.

3 After the initial appointments, all appointees shall serve four-
4 year terms.

5 No appointee may be an official or employee of the county or a
6 governmental unit in the county, or a consultant or advisor on a
7 contractual or regular retained basis of the county, any governmental
8 unit in the county, or any agency or association thereof.

9 **Sec. 72.** RCW 36.93.063 and 1989 c 84 s 19 are each amended to read
10 as follows:

11 The executive of the county shall make the appointments under RCW
12 36.93.051 and 36.93.061 for the county, if one exists, or otherwise the
13 county legislative authority shall make the appointments for the
14 county.

15 The mayors of all cities and towns in the county shall meet on or
16 before the last day of January in each odd-numbered year to make such
17 appointments for terms to commence on the first day of February in that
18 year. The date of the meeting shall be called by the mayor of the
19 largest city or town in the county, and the mayor of the largest city
20 or town in the county who attends the meeting shall preside over the
21 meeting. Selection of each appointee shall be by simple majority vote
22 of those mayors who attend the meeting.

23 Any special district in the county may nominate a person to be
24 appointed to the board on or before the last day of January in each
25 odd-numbered year that the term for this position expires. The board
26 shall make its appointment of a nominee or nominees from the special
27 districts during the month of February following the date by which such
28 nominations are required to be made.

1 The county appointing authority and the mayors of cities and towns
2 within the county shall make their initial appointments for newly
3 created boards within sixty days of the creation of the board or shall
4 make sufficient additional appointments to increase a five-member board
5 to an eleven-member board within sixty days of the date the county
6 (~~((becomes a class AA county))~~) obtains a population of one million or
7 more. The board shall make its initial appointment or appointments of
8 board members from the nominees of special districts located within the
9 county within ninety days of the creation of the board or shall make an
10 additional appointment of a board member from the nominees of special
11 districts located within the county within ninety days of the date the
12 county (~~((becomes a class AA county))~~) obtains a population of one
13 million or more.

14 The term of office for all appointees other than the appointee from
15 the special districts shall commence on the first day of February in
16 the year in which the term is to commence. The term of office for the
17 appointee from nominees of special districts shall commence on the
18 first day of March in the year in which the term is to commence.

19 Vacancies on the board shall be filled by appointment of a person
20 to serve the remainder of the term in the same manner that the person
21 whose position is vacant was filled.

22 **Sec. 73.** RCW 36.93.100 and 1989 c 84 s 3 are each amended to read
23 as follows:

24 The board shall review and approve, disapprove, or modify any of
25 the actions set forth in RCW 36.93.090 when any of the following shall
26 occur within forty-five days of the filing of a notice of intention:

27 (1) Three members of a five-member boundary review board or five
28 members of a boundary review board in a (~~(class AA)~~) county with a
29 population of one million or more files a request for review:

1 PROVIDED, That the members of the boundary review board shall not be
2 authorized to file a request for review of the following actions:

3 (a) The incorporation or change in the boundary of any city, town,
4 or special purpose district;

5 (b) The extension of permanent water service outside of its
6 existing corporate boundaries by a city, town, or special purpose
7 district where such extension is through the installation of water
8 mains of six inches or less in diameter; or

9 (c) The extension of permanent sewer service outside of its
10 existing corporate boundaries by a city, town, or special purpose
11 district where such extension is through the installation of sewer
12 mains of eight inches or less in diameter;

13 (2) Any governmental unit affected, including the governmental unit
14 for which the boundary change or extension of permanent water or sewer
15 service is proposed, or the county within which the area of the
16 proposed action is located, files a request for review of the specific
17 action;

18 (3) A petition requesting review is filed and is signed by:

19 (a) Five percent of the registered voters residing within the area
20 which is being considered for the proposed action (as determined by the
21 boundary review board in its discretion subject to immediate review by
22 writ of certiorari to the superior court); or

23 (b) An owner or owners of property consisting of five percent of
24 the assessed valuation within such area;

25 (4) The majority of the members of boundary review boards concur
26 with a request for review when a petition requesting the review is
27 filed by five percent of the registered voters who deem themselves
28 affected by the action and reside within one-quarter mile of the
29 proposed action but not within the jurisdiction proposing the action.

1 If a period of forty-five days shall elapse without the board's
2 jurisdiction having been invoked as set forth in this section, the
3 proposed action shall be deemed approved.

4 If a review of a proposal is requested, the board shall make a
5 finding as prescribed in RCW 36.93.150 within one hundred twenty days
6 after the filing of such a request for review. If this period of one
7 hundred twenty days shall elapse without the board making a finding as
8 prescribed in RCW 36.93.150, the proposal shall be deemed approved
9 unless the board and the person who submitted the proposal agree to an
10 extension of the one hundred twenty day period.

11 **Sec. 74.** RCW 36.93.140 and 1967 c 189 s 14 are each amended to
12 read as follows:

13 Actions described in RCW 36.93.090 which are pending July 1, 1967,
14 or actions in counties (~~other than class AA or class A~~) with
15 populations of less than two hundred ten thousand which are pending on
16 the date of the creation of a boundary review board therein, shall not
17 be affected by the provisions of this chapter. Actions shall be deemed
18 pending on and after the filing of sufficient petitions initiating the
19 same with the appropriate public officer, or the performance of an
20 official act initiating the same.

21 **Sec. 75.** RCW 36.95.020 and 1971 ex.s. c 155 s 2 are each amended
22 to read as follows:

23 A district's boundary may include any part or all of any (~~class~~)
24 county and may include any part or all of any incorporated area located
25 within the county. A district's boundary may not include any territory
26 already being served by a cable TV system (CATV) unless on August 9,
27 1971, there is a translator station retransmitting television signals
28 to such territory.

1 **Sec. 76.** RCW 40.04.100 and 1979 c 151 s 49 are each amended to
2 read as follows:

3 The supreme court reports and the court of appeals reports shall be
4 distributed by the state law librarian as follows:

5 (1) Each supreme court justice and court of appeals judge is
6 entitled to receive one copy of each volume containing an opinion
7 signed by him or her.

8 (2) The state law librarian shall retain such copies as are
9 necessary of each for the benefit of the state law library, the supreme
10 court and its subsidiary offices; and the court of appeals and its
11 subsidiary offices; he or she shall provide one copy each for the
12 official use of the attorney general and for each assistant attorney
13 general maintaining his or her office in the attorney general's suite;
14 three copies for the office of prosecuting attorney, in ~~((class A~~
15 ~~counties))~~ each county with a population of two hundred ten thousand or
16 more; two copies for such office in ~~((first class counties))~~ each
17 county with a population of from one hundred twenty-five thousand to
18 less than two hundred ten thousand, and one copy for each other
19 prosecuting attorney; one for each United States district court room
20 and every superior court room in this state if regularly used by a
21 judge of such courts; one copy for the use of each state department
22 maintaining a separate office at the state capitol; one copy to the
23 office of financial management, and one copy to the division of
24 inheritance tax and escheats; one copy each to the United States
25 supreme court, to the United States district attorney's offices at
26 Seattle and Spokane, to the office of the United States attorney
27 general, the library of the circuit court of appeals of the ninth
28 circuit, the Seattle public library, the Tacoma public library, the
29 Spokane public library, the University of Washington library, and the
30 Washington State University library; three copies to the Library of

1 Congress; and, for educational purposes, twelve copies to the
2 University of Washington law library, two copies to the University of
3 Puget Sound law library, and two copies to the Gonzaga University law
4 school library and to such other accredited law school libraries as are
5 hereafter established in this state; six copies to the King county law
6 library; and one copy to each county law library organized pursuant to
7 law in (~~class AA counties, class A counties and in counties of the~~
8 ~~first, second and third class~~) each county with a population of forty
9 thousand or more.

10 (3) The state law librarian is likewise authorized to exchange
11 copies of the supreme court reports and the court of appeals reports
12 for similar reports of other states, territories, and/or governments,
13 or for other legal materials, and to make such other and further
14 distribution as in his or her judgment seems proper.

15 **Sec. 77.** RCW 41.14.040 and 1959 c 1 s 4 are each amended to read
16 as follows:

17 Any counties (~~of the fourth class or of lesser classifications~~)
18 with populations of less than forty thousand, whether contiguous or
19 not, are authorized to establish and operate a combined civil service
20 system to serve all counties so combined. The combination of any such
21 counties shall be effective whenever each board of county commissioners
22 of the counties involved adopts a resolution declaring intention to
23 participate in the operation of a combined county civil service system
24 in accordance with agreements made between any such counties. Any such
25 combined county civil service commission shall serve the employees of
26 each county sheriff's office impartially and according to need.

27 All matters affecting the combined civil service commission,
28 including the selection of commissioners, shall be decided by majority
29 vote of all the county commissioners of the counties involved.

1 All the provisions of this chapter shall apply equally to any such
2 combined civil service system.

3 **Sec. 78.** RCW 41.14.065 and 1987 c 251 s 2 are each amended to read
4 as follows:

5 Any (~~class AA~~) county with a population of one million or more
6 may assign the powers and duties of the commission to such county
7 agencies or departments as may be designated by charter or ordinance:
8 PROVIDED, That the powers and duties of the commission under RCW
9 41.14.120 shall not be assigned to any other body but shall continue to
10 be vested in the commission, which shall exist to perform such powers
11 and duties, together with such other adjudicative functions as may be
12 designated by charter or ordinance.

13 **Sec. 79.** RCW 41.14.070 and 1979 ex.s. c 153 s 3 are each amended
14 to read as follows:

15 The classified civil service and provisions of this chapter shall
16 include all deputy sheriffs and other employees of the office of
17 sheriff in each county except the county sheriff in every county and an
18 additional number of positions, designated the unclassified service,
19 determined as follows:

	Unclassified
Staff Personnel	Position Appointments
1 through 10	2
11 through 20	3
21 through 50	4
51 through 100	5
101 and over	6

1 The unclassified position appointments authorized by this section
2 must include selections from the following positions up to the limit of
3 the number of positions authorized: Undersheriff, inspector, chief
4 criminal deputy, chief civil deputy, jail superintendent, and
5 administrative assistant or administrative secretary. The initial
6 selection of specific positions to be exempt shall be made by the
7 sheriff, who shall notify the civil service commission of his or her
8 selection. Subsequent changes in the designation of which positions
9 are to be exempt may be made only with the concurrence of the sheriff
10 and the civil service commission, and then only after the civil service
11 commission has heard the issue in open meeting. Should the position or
12 positions initially selected by the sheriff to be exempt (unclassified)
13 pursuant to this section be under the classified civil service at the
14 time of such selection, and should it (or they) be occupied, the
15 employee(s) occupying said position(s) shall have the right to return
16 to the next highest position or a like position under classified civil
17 service.

18 The county legislative authority of any (~~class AA~~) county with a
19 population of one million or more operating under a home rule charter
20 may designate unclassified positions of administrative responsibility
21 not to exceed twelve positions.

22 **Sec. 80.** RCW 41.14.210 and 1971 ex.s. c 214 s 3 are each amended
23 to read as follows:

24 The county legislative (~~body of each class AA and A~~) authority or
25 each county with a population of two hundred ten thousand or more may
26 provide in the county budget for each fiscal year a sum equal to one
27 percent of the preceding year's total payroll of those included under
28 the jurisdiction and scope of this chapter. The funds so provided
29 shall be used for the support of the commission. Any part of the funds

1 so provided and not expended for the support of the commission during
2 the fiscal year shall be placed in the general fund of the county, or
3 counties according to the ratio of contribution, on the first day of
4 January following the close of such fiscal year.

5 **Sec. 81.** RCW 41.28.020 and 1939 c 207 s 3 are each amended to read
6 as follows:

7 A retirement system is hereby created and established in each city
8 of the first class in each (~~first class~~) county with a population of
9 one hundred twenty-five thousand or more to be known as the "employees'
10 retirement system". This chapter shall become effective as to any such
11 city when by ordinance of the city duly enacted its terms are expressly
12 accepted and made applicable thereto. This section shall not be
13 construed as preventing performance before July 1, 1939, of any
14 preliminary work which any city council, city commission or board of
15 administration shall deem necessary.

16 **Sec. 82.** RCW 41.56.030 and 1989 c 275 s 2 are each amended to read
17 as follows:

18 As used in this chapter:

19 (1) "Public employer" means any officer, board, commission,
20 council, or other person or body acting on behalf of any public body
21 governed by this chapter as designated by RCW 41.56.020, or any
22 subdivision of such public body. For the purposes of this section, the
23 public employer of district court employees for wage-related matters is
24 the respective county legislative authority, or person or body acting
25 on behalf of the legislative authority, and the public employer for
26 nonwage-related matters is the judge or judge's designee of the
27 respective district court.

1 (2) "Public employee" means any employee of a public employer
2 except any person (a) elected by popular vote, or (b) appointed to
3 office pursuant to statute, ordinance or resolution for a specified
4 term of office by the executive head or body of the public employer, or
5 (c) whose duties as deputy, administrative assistant or secretary
6 necessarily imply a confidential relationship to the executive head or
7 body of the applicable bargaining unit, or any person elected by
8 popular vote or appointed to office pursuant to statute, ordinance or
9 resolution for a specified term of office by the executive head or body
10 of the public employer, or (d) who is a personal assistant to a
11 district judge or court commissioner. For the purpose of (d) of this
12 subsection, no more than one assistant for each judge or commissioner
13 may be excluded from a bargaining unit.

14 (3) "Bargaining representative" means any lawful organization which
15 has as one of its primary purposes the representation of employees in
16 their employment relations with employers.

17 (4) "Collective bargaining" means the performance of the mutual
18 obligations of the public employer and the exclusive bargaining
19 representative to meet at reasonable times, to confer and negotiate in
20 good faith, and to execute a written agreement with respect to
21 grievance procedures and collective negotiations on personnel matters,
22 including wages, hours and working conditions, which may be peculiar to
23 an appropriate bargaining unit of such public employer, except that by
24 such obligation neither party shall be compelled to agree to a proposal
25 or be required to make a concession unless otherwise provided in this
26 chapter. In the case of the Washington state patrol, "collective
27 bargaining" shall not include wages and wage-related matters.

28 (5) "Commission" means the public employment relations commission.

29 (6) "Executive director" means the executive director of the
30 commission.

1 (7) "Uniformed personnel" means (a) law enforcement officers as
2 defined in RCW 41.26.030 as now or hereafter amended, of cities with a
3 population of fifteen thousand or more or law enforcement officers
4 employed by the governing body of any county (~~of the second class or~~
5 ~~larger~~) with a population of seventy thousand or more, or (b) fire
6 fighters as that term is defined in RCW 41.26.030, as now or hereafter
7 amended.

8 **Sec. 83.** RCW 42.23.030 and 1990 c 33 s 573 are each amended to
9 read as follows:

10 No municipal officer shall be beneficially interested, directly or
11 indirectly, in any contract which may be made by, through or under the
12 supervision of such officer, in whole or in part, or which may be made
13 for the benefit of his or her office, or accept, directly or
14 indirectly, any compensation, gratuity or reward in connection with
15 such contract from any other person beneficially interested therein.
16 This section shall not apply in the following cases:

17 (1) The furnishing of electrical, water or other utility services
18 by a municipality engaged in the business of furnishing such services,
19 at the same rates and on the same terms as are available to the public
20 generally;

21 (2) The designation of public depositaries for municipal funds;

22 (3) The publication of legal notices required by law to be
23 published by any municipality, upon competitive bidding or at rates not
24 higher than prescribed by law for members of the general public;

25 (4) The designation of a school director as clerk or as both clerk
26 and purchasing agent of a school district;

27 (5) The employment of any person by a municipality, other than a
28 county (~~of the first class or higher~~) with a population of one
29 hundred twenty-five thousand or more, a city of the first or second

1 class, an irrigation district encompassing in excess of fifty thousand
2 acres, or a first class school district, for unskilled day labor at
3 wages not exceeding one hundred dollars in any calendar month;

4 (6) The letting of any other contract (except a sale or lease as
5 seller or lessor) by a municipality, other than a county (~~of the first~~
6 ~~class or higher~~) with a population of one hundred twenty-five thousand
7 or more, a city of the first or second class, an irrigation district
8 encompassing in excess of fifty thousand acres, or a first class school
9 district: PROVIDED, That the total volume of business represented by
10 such contract or contracts in which a particular officer is interested,
11 singly or in the aggregate, as measured by the dollar amount of the
12 municipality's liability thereunder, shall not exceed seven hundred
13 fifty dollars in any calendar month: PROVIDED FURTHER, That in the
14 case of a particular officer of a third class city or town (~~of the~~
15 ~~third, or fourth class~~), or a noncharter optional code city, or a
16 member of any county fair board in a county which has not established
17 a county purchasing department pursuant to RCW 36.32.240, the total
18 volume of such contract or contracts authorized in this subsection may
19 exceed seven hundred fifty dollars in any calendar month but shall not
20 exceed nine thousand dollars in any calendar year: PROVIDED FURTHER,
21 That there shall be public disclosure by having an available list of
22 such purchases or contracts, and if the supplier or contractor is an
23 official of the municipality, he or she shall not vote on the
24 authorization;

25 (7) The leasing by a port district as lessor of port district
26 property to a municipal officer or to a contracting party in which a
27 municipal officer may be beneficially interested, if in addition to all
28 other legal requirements, a board of three disinterested appraisers,
29 who shall be appointed from members of the American institute of real
30 estate appraisers by the presiding judge of the superior court in the

1 county where the property is situated, shall find and the court finds
2 that all terms and conditions of such lease are fair to the port
3 district and are in the public interest;

4 (8) The letting of any contract for the driving of a school bus in
5 a second class school district: PROVIDED, That the terms of such
6 contract shall be commensurate with the pay plan or collective
7 bargaining agreement operating in the district;

8 (9) The letting of any contract to the spouse of an officer of a
9 second class school district in which less than two hundred full time
10 equivalent students are enrolled at the start of the school year as
11 defined in RCW 28A.150.040, when such contract is solely for employment
12 as a certificated or classified employee of the school district, or the
13 letting of any contract to the spouse of an officer of a second class
14 district in which less than five hundred full time equivalent students
15 are enrolled at the start of the school year as defined in RCW
16 28A.150.040, when such contract is solely for employment as a
17 substitute teacher for the school district: PROVIDED, That the terms
18 of such contract shall be commensurate with the pay plan or collective
19 bargaining agreement applicable to all district employees and the board
20 of directors has found, consistent with the written policy under RCW
21 28A.330.240, that there is a shortage of substitute teachers in the
22 school district.

23 **Sec. 84.** RCW 43.99C.045 and 1989 c 265 s 1 are each amended to
24 read as follows:

25 Subject to legislative appropriation, all principal proceeds of the
26 bonds and bond anticipation notes authorized in this chapter shall be
27 administered by the state department of social and health services
28 exclusively for the purposes specified in this chapter and for the

1 payment of expenses incurred in connection with the sale and issuance
2 of the bonds and bond anticipation notes.

3 In carrying out the purposes of this chapter all counties of the
4 state shall be eligible to participate in the distribution of the bond
5 proceeds. The share coming to each county shall be determined by a
6 division among all counties according to the relation which the
7 population of each county, as shown by the last federal or official
8 state census, whichever is the later, bears to the total combined
9 population of all counties, as shown by such census; except that, each
10 (~~sixth, seventh, or eighth class~~) county with a population of less
11 than twelve thousand shall receive an aggregate amount of up to
12 seventy-five thousand dollars if, through a procedure established in
13 rule, the department has determined there is a demonstrated need and
14 the share determined for such county is less than seventy-five thousand
15 dollars. No single project in a (~~class AA~~) county with a population
16 of one million or more shall be eligible for more than fifteen percent
17 of such county's total distribution of bond proceeds.

18 In carrying out the purposes specified in this chapter, the
19 department may use or permit the use of the proceeds by direct
20 expenditures, grants, or loans to any public body, including but not
21 limited to grants to a public body as matching funds in any case where
22 federal, local, or other funds are made available on a matching basis
23 for purposes specified in this chapter.

24 In carrying out the purpose of this chapter, fixed assets acquired
25 under this chapter, and no longer utilized by the program having
26 custody of the assets, may be transferred to other public bodies either
27 in the same county or another county. Prior to such transfer the
28 department shall first determine if the assets can be used by another
29 program as designated by the department of social and health services

1 in RCW 43.99C.020. Such programs shall have priority in obtaining the
2 assets to ensure the purpose of this chapter is carried out.

3 **Sec. 85.** RCW 53.12.010 and 1965 c 51 s 1 are each amended to read
4 as follows:

5 The powers of the port district shall be exercised through a port
6 commission consisting of three members. In any port ((districts
7 located in a class AA)) district with boundaries that are coterminous
8 with the boundaries of a county with a population of five hundred
9 thousand or more the members shall be residents of the county in which
10 the port district is located. In all other port districts, three
11 commissioner districts, numbered consecutively, having approximately
12 equal population and boundaries following ward and precinct lines,
13 shall be described in the petition for the formation of the port
14 district, and one commissioner shall be elected from each of said
15 commissioner districts.

16 In port districts having additional commissioners as authorized by
17 RCW 53.12.120 and 53.12.130, the powers of the port district shall be
18 exercised through a port commission consisting of five members
19 constituted as provided therein.

20 **Sec. 86.** RCW 46.09.240 and 1986 c 206 s 9 are each amended to read
21 as follows:

22 (1) After deducting administrative expenses and the expense of any
23 programs conducted under this chapter, the interagency committee for
24 outdoor recreation shall, at least once each year, distribute the funds
25 it receives under RCW 46.09.110 and 46.09.170 to state agencies,
26 counties, municipalities, federal agencies, and Indian tribes.

27 The committee shall adopt rules governing applications for funds
28 administered by the agency under this chapter and shall determine the

1 amount of money distributed to each applicant. Agencies receiving
2 funds under this chapter for capital purposes shall consider the
3 possibility of contracting with the state parks and recreation
4 commission, the department of natural resources, or other federal,
5 state, and local agencies to employ the youth development and
6 conservation corps or other youth crews in completing the project.

7 (2) The interagency committee shall require each applicant for land
8 acquisition or development funds under this section to conduct, before
9 submitting the application, a public hearing in the nearest town of
10 five hundred population or more, and publish notice of such hearing on
11 the same day of each week for two consecutive weeks as follows:

12 (a) In the newspaper of general circulation published nearest the
13 proposed project;

14 (b) In the newspaper having the largest circulation in the county
15 or counties where the proposed project is located; and

16 (c) If the proposed project is located in a county (~~of class four~~
17 ~~or lower~~) with a population of less than forty thousand, the notice
18 shall also be published in the newspaper having the largest circulation
19 published in the nearest county that (~~is class three or above~~) has a
20 population of forty thousand or more.

21 (3) The notice shall state that the purpose of the hearing is to
22 solicit comments regarding an application being prepared for submission
23 to the interagency committee for outdoor recreation for acquisition or
24 development funds under the off-road and nonhighway vehicle program.
25 The applicant shall file notice of the hearing with the department of
26 ecology at the main office in Olympia and shall comply with the State
27 Environmental Policy Act, chapter 43.21C RCW. A written record and a
28 magnetic tape recording of the hearing shall be included in the
29 application.

1 **Sec. 87.** RCW 46.52.100 and 1987 c 3 s 18 are each amended to read
2 as follows:

3 Every district court, municipal court, and clerk of superior court
4 shall keep or cause to be kept a record of every traffic complaint,
5 traffic citation, notice of infraction, or other legal form of traffic
6 charge deposited with or presented to the court or a traffic violations
7 bureau, and shall keep a record of every official action by said court
8 or its traffic violations bureau in reference thereto, including but
9 not limited to a record of every conviction, forfeiture of bail,
10 judgment of acquittal, finding that a traffic infraction has been
11 committed, dismissal of a notice of infraction, and the amount of fine,
12 forfeiture, or penalty resulting from every said traffic complaint,
13 citation, or notice of infraction deposited with or presented to the
14 district court, municipal court, superior court, or traffic violations
15 bureau.

16 The Monday following the conviction, forfeiture of bail, or finding
17 that a traffic infraction was committed for violation of any provisions
18 of this chapter or other law regulating the operating of vehicles on
19 highways, every said magistrate of the court or clerk of the court of
20 record in which such conviction was had, bail was forfeited, or the
21 finding made shall prepare and immediately forward to the director of
22 licensing at Olympia an abstract of the record of said court covering
23 the case, which abstract must be certified by the person so required to
24 prepare the same to be true and correct. Report need not be made of
25 any finding involving the illegal parking or standing of a vehicle.

26 Said abstract must be made upon a form furnished by the director
27 and shall include the name and address of the party charged, the
28 number, if any, of the party's driver's or chauffeur's license, the
29 registration number of the vehicle involved, the nature of the offense,
30 the date of hearing, the plea, the judgment, whether bail forfeited,

1 whether the determination that a traffic infraction was committed was
2 contested, and the amount of the fine, forfeiture, or penalty as the
3 case may be.

4 Every court of record shall also forward a like report to the
5 director upon the conviction of any person of manslaughter or other
6 felony in the commission of which a vehicle was used.

7 The failure of any such judicial officer to comply with any of the
8 requirements of this section shall constitute misconduct in office and
9 shall be grounds for removal therefrom.

10 The director shall keep all abstracts received hereunder at the
11 director's office in Olympia and the same shall be open to public
12 inspection during reasonable business hours.

13 Venue in all district courts shall be before one of the two nearest
14 district judges in incorporated cities and towns nearest to the point
15 the violation allegedly occurred: PROVIDED, That in counties (~~of~~
16 ~~class A and of the first class~~) with populations of one hundred
17 twenty-five thousand or more such cases may be tried in the county seat
18 at the request of the defendant.

19 It shall be the duty of the officer, prosecuting attorney, or city
20 attorney signing the charge or information in any case involving a
21 charge of driving under the influence of intoxicating liquor or any
22 drug immediately to make request to the director for an abstract of
23 convictions and forfeitures which the director shall furnish.

24 **Sec. 88.** RCW 47.26.121 and 1990 c 266 s 4 are each amended to read
25 as follows:

26 (1) There is hereby created a transportation improvement board of
27 fifteen members, six of whom shall be county members and six of whom
28 shall be city members. The remaining members shall be: (a) The
29 assistant secretary of the department of transportation whose primary

1 responsibilities relate to planning and public transportation; (b) the
2 assistant secretary for highways of the department of transportation;
3 and (c) the state aid engineer of the department of transportation.

4 (2) Of the county members of the board, one member shall be a
5 county engineer from a county (~~of the first class or larger~~) with a
6 population of one hundred twenty-five thousand or more; one member
7 shall be a county engineer from a county (~~of the second class or~~
8 ~~smaller~~) with a population of from seventy thousand to less than one
9 hundred twenty-five thousand; one member shall be the executive
10 director of the county road administration board, created by RCW
11 36.78.060; two members shall be county executives, council members, or
12 commissioners from counties (~~of the first class or larger~~) with a
13 population of one hundred twenty-five thousand or more; one member
14 shall be a county executive, council member, or commissioner from a
15 county (~~of the second class or smaller~~) with a population of less
16 than one hundred twenty-five thousand. All county members of the
17 board, except the executive director of the county road administration
18 board, shall be appointed. Not more than one county member of the
19 board shall be from any one county. For the purposes of this
20 subsection, the term county engineer shall mean the director of public
21 works in any county in which such a position exists.

22 (3) Of the city members of the board two shall be chief city
23 engineers, public works directors, or other city employees with
24 responsibility for public works activities, of cities over twenty
25 thousand population; one shall be a chief city engineer, public works
26 director, or other city employee with responsibility for public works
27 activities, of a city of less than twenty thousand population; two
28 shall be mayors, commissioners, or city council members of cities of
29 more than twenty thousand population; and one shall be a mayor,
30 commissioner, or council member of a city of less than twenty thousand

1 population. All of the city members shall be appointed. Not more than
2 one city member of the board shall be from any one city.

3 (4) Appointments of county and city representatives shall be made
4 by the secretary of the department of transportation, with initial
5 appointments to be made by July 1, 1988. Appointees shall be chosen
6 from a list of two persons for each position nominated by the
7 Washington state association of counties for county members and the
8 association of Washington cities for city members. Except as provided
9 in subsection (5) of this section, terms of appointment are four years.
10 In the case of a vacancy, the appointment shall be only for the
11 remainder of the unexpired term in which the vacancy has occurred. A
12 vacancy shall be deemed to have occurred on the board when any member
13 elected to public office completes that term of office or is removed
14 therefrom for any reason or when any member employed by a political
15 subdivision terminates such employment for whatsoever reason.

16 (5) The initial appointment to the board for three county
17 representatives and three city representatives shall be for terms of
18 two years and the remainder of the appointments shall be for terms of
19 four years. Terms of all appointed members shall expire on June 30th
20 of even-numbered years.

21 (6) The board shall elect a chair from among its members for a two-
22 year term.

23 (7) Expenses of the board, including administration of the
24 transportation improvement program, shall be paid from the urban
25 arterial account.

26 **Sec. 89.** RCW 53.12.020 and 1986 c 262 s 2 are each amended to read
27 as follows:

28 In a port (~~((districts located in a class AA))~~) district with
29 boundaries that are coterminous with the boundaries of a county with a

1 population of five hundred thousand or more no person shall be eligible
2 to hold the office of port commissioner unless he or she is a qualified
3 voter of the district. In all other port districts (~~except those~~
4 ~~located in a class AA county~~) the person must be a qualified voter of
5 the commissioner district from which he or she is elected.

6 If, pursuant to RCW 29.21.350, a void in candidacy has been
7 declared for a port district, any registered voter of the port district
8 is eligible to file a declaration of candidacy for the office of port
9 commissioner when filing for the office is reopened pursuant to RCW
10 29.21.360 or 29.21.370.

11 **Sec. 90.** RCW 53.12.035 and 1965 c 51 s 3 are each amended to read
12 as follows:

13 (~~All candidates for district offices in port districts of class AA~~
14 ~~and class A counties shall file their declarations of candidacy with~~
15 ~~the county auditor of the county as set forth in RCW 29.21.060, as now~~
16 ~~or hereafter amended and in the same manner as candidates for county~~
17 ~~offices. In port districts located in a class AA county the~~
18 ~~declaration may be for any numbered port commissioner position to be~~
19 ~~open in the next port district election.)) In port districts ((with
20 ~~five commissioners in existence on July 1, 1965~~) that transition from
21 a three-member board to a five-member board, the respective numbered
22 port commissioner positions shall correspond to the numbers of the
23 county ((~~commissioner~~) legislative authority districts from which the
24 three original commissioners in the port districts were elected, ((with
25 ~~the central district being numbered one~~) if the county had a three-
26 member county legislative authority, and with positions four and five
27 being assigned to the original at large commissioner positions for
28 which the first incumbents received, respectively, the greater and
29 lesser number of votes cast.~~

1 (~~In all port districts in a class AA county, with three port
2 commissioners there shall be three positions denominated positions one,
3 two and three, and declarations of candidacy shall be for a specific
4 position. Where a proposition for an increased number of port
5 commissioners is on the ballot under RCW 53.12.120 and RCW 53.12.130,
6 the two additional positions shall be denominated positions four and
7 five, and candidates for the positions thus proposed to be created
8 shall file declarations of candidacy for a specific position.))~~)

9 Each candidate for a port commissioner position, including the
10 initial port commissioner positions, shall file a declaration of
11 candidacy for a specific position, whether or not the position is
12 associated with a commissioner district.

13 **Sec. 91.** RCW 53.12.035 and 1990 c 59 s 108 are each amended to
14 read as follows:

15 (~~All candidates for district offices in port districts of class AA
16 and class A counties shall file their declarations of candidacy with
17 the county auditor of the county as set forth in Title 29 RCW, as now
18 or hereafter amended and in the same manner as candidates for county
19 offices. In port districts located in a class AA county the
20 declaration may be for any numbered port commissioner position to be
21 open in the next port district election.)) In port districts ((with
22 five commissioners in existence on July 1, 1965,)) that transition from
23 a three-member board to a five-member board the respective numbered
24 port commissioner positions shall correspond to the numbers of the
25 county ((~~commissioner~~)) legislative authority districts from which the
26 three original commissioners in the port districts were elected, ((with
27 the central district being numbered one)) if the county had a three-
28 member county legislative authority, and with positions four and five
29 being assigned to the original at large commissioner positions for~~

1 which the first incumbents received, respectively, the greater and
2 lesser number of votes cast.

3 ~~((In all port districts in a class AA county, with three port
4 commissioners there shall be three positions denominated positions one,
5 two and three, and declarations of candidacy shall be for a specific
6 position. Where a proposition for an increased number of port
7 commissioners is on the ballot under RCW 53.12.120 and RCW 53.12.130,
8 the two additional positions shall be denominated positions four and
9 five, and candidates for the positions thus proposed to be created
10 shall file declarations of candidacy for a specific position.))~~

11 Each candidate for a port commissioner position, including the
12 initial port commissioner positions, shall file a declaration of
13 candidacy for a specific position, whether or not the position is
14 associated with a commissioner district.

15 **Sec. 92.** RCW 53.25.100 and 1955 c 73 s 10 are each amended to read
16 as follows:

17 All port districts wherein industrial development districts have
18 been established are authorized and empowered to acquire by purchase or
19 condemnation or both, all lands, property and property rights necessary
20 for the purpose of the development and improvement of such industrial
21 development district and to exercise the right of eminent domain in the
22 acquirement or damaging of all lands, property and property rights and
23 the levying and collecting of assessments upon property for the payment
24 of all damages and compensation in carrying out the provisions for
25 which said industrial development district has been created; to develop
26 and improve the lands within such industrial development district to
27 make the same suitable and available for industrial uses and purposes;
28 to dredge, bulkhead, fill, grade, and protect such property; to
29 provide, maintain, and operate water, light, power and fire protection

1 facilities and services, streets, roads, bridges, highways, waterways,
2 tracks, and rail and water transfer and terminal facilities and other
3 harbor and industrial improvements; to execute leases of such lands or
4 property or any part thereof; to establish local improvement districts
5 within such industrial development districts which may, but need not,
6 be coextensive with the boundaries thereof, and to levy special
7 assessments, under the mode of annual installments, over a period not
8 exceeding ten years, on all property specially benefited by any local
9 improvement, on the basis of special benefits, to pay in whole or in
10 part the damages or costs of any improvement ordered in such local
11 improvement district; to issue local improvement bonds in any such
12 local improvement district; to be repaid by the collection of local
13 improvement assessments; and generally to exercise with respect to and
14 within such industrial development districts all the powers now or
15 hereafter conferred by law upon port districts in counties (~~of the~~
16 ~~first class~~) with a population of one hundred twenty-five thousand or
17 more: PROVIDED, That the exercise of powers hereby authorized and
18 granted shall be in the manner now and hereafter provided by the laws
19 of the state for the exercise of such powers by port districts under
20 the general laws relating thereto insofar as the same shall not be
21 inconsistent with this chapter.

22 **Sec. 93.** RCW 53.31.020 and 1986 c 276 s 2 are each amended to read
23 as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Port district" means any port district other than a county-
27 wide port district in a (~~class A or AA~~) county with a population of
28 two hundred ten thousand or more, established under Title 53 RCW.

1 (2) "Export services" means the following services when provided in
2 order to facilitate the export of goods or services through Washington
3 ports: International market research, promotion, consulting,
4 marketing, legal assistance, trade documentation, communication and
5 processing of foreign orders to and for exporters and foreign
6 purchasers, financing, and contracting or arranging for transportation,
7 insurance, warehousing, foreign exchange, and freight forwarding.

8 (3) "Export trading company" means an entity created by a port
9 district under RCW 53.31.040.

10 (4) "Obligations" means bonds, notes, securities, or other
11 obligations or evidences of indebtedness.

12 (5) "Person" means any natural person, firm, partnership,
13 association, private or public corporation, or governmental entity.

14 **Sec. 94.** RCW 53.49.010 and 1943 c 282 s 1 are each amended to read
15 as follows:

16 Whenever any port district located in any county (~~of the sixth~~
17 ~~class~~) with a population of from eight thousand to less than twelve
18 thousand shall be dissolved and disestablished or is about to be
19 dissolved and disestablished and any sums of money remain in any of its
20 funds, the port commissioners are authorized and directed to apply by
21 petition, which may be filed without fee, to the superior court of such
22 county for an order authorizing the transfer of such funds to the
23 school district fund or if there be more than one such district, the
24 school district funds of all districts, which are located within the
25 boundaries of such port district.

26 **Sec. 95.** RCW 54.16.180 and 1977 ex.s. c 31 s 1 are each amended to
27 read as follows:

1 A district may sell and convey, lease, or otherwise dispose of all
2 or any part of its works, plants, systems, utilities and properties,
3 after proceedings and approval by the voters of the district, as
4 provided for the lease or disposition of like properties and facilities
5 owned by cities and towns: PROVIDED, That the affirmative vote of
6 three-fifths of the voters voting at an election on the question of
7 approval of a proposed sale, shall be necessary to authorize such sale:
8 PROVIDED FURTHER, That a district may sell, convey, lease or otherwise
9 dispose of all or any part of the property owned by it, located outside
10 its boundaries, to another public utility district, city, town or other
11 municipal corporation without the approval of the voters; or may sell,
12 convey, lease, or otherwise dispose of to any person or public body,
13 any part, either within or without its boundaries, which has become
14 unserviceable, inadequate, obsolete, worn out or unfit to be used in
15 the operations of the system and which is no longer necessary, material
16 to, and useful in such operations, without the approval of the voters:
17 PROVIDED FURTHER, That a public utility district located within a
18 county (~~of the first class~~) with a population of from one hundred
19 twenty-five thousand to less than two hundred ten thousand may sell and
20 convey to a city of the first class, which owns its own water system,
21 all or any part of a water system owned by said public utility district
22 where a portion of it is located within the boundaries of such city,
23 without approval of the voters upon such terms and conditions as the
24 district shall determine: PROVIDED FURTHER, That a public utility
25 district located in a (~~fifth class~~) county with a population of from
26 twelve thousand to less than eighteen thousand and bordered by the
27 Columbia river may, separately or in connection with the operation of
28 a water system, or as part of a plan for acquiring or constructing and
29 operating a water system, or in connection with the creation of another
30 or subsidiary local utility district, may provide for the acquisition

1 or construction, additions or improvements to, or extensions of, and
2 operation of a sewage system within the same service area as in the
3 judgment of the district commission is necessary or advisable in order
4 to eliminate or avoid any existing or potential danger to the public
5 health by reason of the lack of sewerage facilities or by reason of the
6 inadequacy of existing facilities: AND PROVIDED FURTHER, That a public
7 utility district located within a county (~~((of the first class))~~) with a
8 population of from one hundred twenty-five thousand to less than two
9 hundred ten thousand bordering on Puget Sound may sell and convey to
10 any city of the third class or town all or any part of a water system
11 owned by said public utility district without approval of the voters
12 upon such terms and conditions as the district shall determine. Public
13 utility districts are municipal corporations for the purposes of this
14 section and the commission shall be held to be the legislative body and
15 the president and secretary shall have the same powers and perform the
16 same duties as the mayor and city clerk and the resolutions of the
17 districts shall be held to be ordinances within the meaning of the
18 statutes governing the sale, lease, or other disposal of public
19 utilities owned by cities and towns.

20 **Sec. 96.** RCW 56.04.120 and 1979 c 35 s 1 are each amended to read
21 as follows:

22 (1) On and after March 16, 1979, any sewerage improvement districts
23 created under Title 85 RCW and located in (~~((third class counties))~~) a
24 county with a population of from forty thousand to less than seventy
25 thousand shall become sewer districts and shall be operated,
26 maintained, and have the same powers as sewer districts created under
27 Title 56 RCW, upon being so ordered by the (~~((board of))~~) county
28 (~~((commissioners))~~) legislative authority of the county in which such
29 district is located after a hearing of which notice is given by

1 publication in a newspaper of general circulation within the district
2 and mailed to any known creditors, holders of contracts and obligees at
3 least thirty days prior to such hearing. After such hearing if the
4 (~~board of~~) county (~~commissioners~~) legislative authority finds the
5 converting of such district to be in the best interest of that
6 district, it shall order that such sewer improvement district shall
7 become a sewer district and fix the date of such conversion. All
8 debts, contracts and obligations created while attempting to organize
9 or operate a sewerage improvement district and all other financial
10 obligations and powers of the district to satisfy such obligations
11 established under Title 85 RCW are legal and valid until they are fully
12 satisfied or discharged under Title 85 RCW.

13 (2) The board of supervisors of a sewerage improvement district in
14 a (~~third class~~) county with a population of from forty thousand to
15 less than seventy thousand shall act as the board of commissioners of
16 the sewer district created under subsection (1) of this section until
17 other members of the board of commissioners of the sewer district are
18 elected and qualified. There shall be an election on the same date as
19 the 1979 state general election and the seats of all three members of
20 the governing authority of every entity which was previously known as
21 a sewerage improvement district in a (~~third class~~) county with a
22 population of from forty thousand to less than seventy thousand shall
23 be up for election. The election shall be held in the manner provided
24 for in RCW 56.12.020 for the election of the first board of
25 commissioners of a sewer district. Thereafter, the terms of office of
26 the members of the governing body shall be determined under RCW
27 56.12.020.

28 **Sec. 97.** RCW 57.90.010 and 1979 ex.s. c 30 s 11 are each amended
29 to read as follows:

1 Water, sewer, park and recreation, metropolitan park, county rural
2 library, cemetery, flood control, mosquito control, diking and
3 drainage, irrigation or reclamation, weed, health, or fire protection
4 districts, and any air pollution control authority, hereinafter
5 referred to as "special districts", which are located wholly or in part
6 within a (~~class AA or A~~) county with a population of two hundred ten
7 thousand or more may be disincorporated when the district has not
8 actively carried out any of the special purposes or functions for which
9 it was formed within the preceding consecutive five year period.

10 **Sec. 98.** RCW 67.28.090 and 1967 c 236 s 2 are each amended to read
11 as follows:

12 There is created a stadium commission to consist of six members to
13 be selected as follows:

14 The governor shall appoint a (~~chairman~~) chair and one other
15 member of the commission.

16 Any (~~class AA county, class A county, or first class~~) county with
17 a population of one hundred twenty-five thousand or more may within
18 ninety days following June 8, 1967 submit to the governor a request
19 that the commission conduct a study and investigation as provided in
20 RCW 67.28.100 relative to the construction of a stadium within such
21 county. Such request shall be supported by plans and other relevant
22 information.

23 Within two weeks of the end of the ninety-day period, the governor
24 and/or the two members of the commission appointed by him or her shall
25 meet and consider any such requests, and shall accept that request
26 which in their sole discretion appears to present the most feasible
27 plan.

28 Thereupon, the (~~board of~~) county (~~commissioners~~) legislative
29 authority of the county whose request is accepted shall select two

1 members from its body as members of the commission, and the mayor of
2 the city having the largest population in such county shall appoint two
3 members from such city's legislative body to the commission.

4 The commission shall meet at such time or times as may be
5 designated either by the governor or by the ((~~chairman~~)) chair of the
6 board, and shall serve without compensation. They shall receive, for
7 time spent on the commission, per diem and mileage allowances in
8 conformity with the amounts allowed for legislators under the
9 provisions of RCW 44.04.120.

10 **Sec. 99.** RCW 67.28.180 and 1987 c 483 s 1 are each amended to read
11 as follows:

12 (1) Subject to the conditions set forth in subsections (2) and (3)
13 of this section, the legislative body of any county or any city, is
14 authorized to levy and collect a special excise tax of not to exceed
15 two percent on the sale of or charge made for the furnishing of lodging
16 by a hotel, rooming house, tourist court, motel, trailer camp, and the
17 granting of any similar license to use real property, as distinguished
18 from the renting or leasing of real property: PROVIDED, That it shall
19 be presumed that the occupancy of real property for a continuous period
20 of one month or more constitutes a rental or lease of real property and
21 not a mere license to use or to enjoy the same.

22 (2) Any levy authorized by this section shall be subject to the
23 following:

24 (a) Any county ordinance or resolution adopted pursuant to this
25 section shall contain, in addition to all other provisions required to
26 conform to this chapter, a provision allowing a credit against the
27 county tax for the full amount of any city tax imposed pursuant to this
28 section upon the same taxable event.

1 (b) In the event that any county has levied the tax authorized by
2 this section and has, prior to June 26, 1975, either pledged the tax
3 revenues for payment of principal and interest on city revenue or
4 general obligation bonds authorized and issued pursuant to RCW
5 67.28.150 through 67.28.160 or has authorized and issued revenue or
6 general obligation bonds pursuant to the provisions of RCW 67.28.150
7 through 67.28.160, such county shall be exempt from the provisions of
8 (~~subsection~~) (a) of this subsection, to the extent that the tax
9 revenues are pledged for payment of principal and interest on bonds
10 issued at any time pursuant to the provisions of RCW 67.28.150 through
11 67.28.160: PROVIDED, That so much of such pledged tax revenues,
12 together with any investment earnings thereon, not immediately
13 necessary for actual payment of principal and interest on such bonds
14 may be used: (i) In (~~class AA counties~~) any county with a population
15 of one million or more, for repayment either of limited tax levy
16 general obligation bonds or of any county fund or account from which a
17 loan was made, the proceeds from the bonds or loan being used to pay
18 for constructing, installing, improving, and equipping stadium capital
19 improvement projects, and to pay for any engineering, planning,
20 financial, legal and professional services incident to the development
21 of such stadium capital improvement projects, regardless of the date
22 the debt for such capital improvement projects was or may be incurred;
23 or (ii) in (~~counties~~) other (~~than class AA~~) counties, for county-
24 owned facilities for agricultural promotion.

25 As used in this subsection (2)(b), "capital improvement projects"
26 may include, but not be limited to a stadium restaurant facility,
27 restroom facilities, artificial turf system, seating facilities,
28 parking facilities and scoreboard and information system adjacent to or
29 within a county owned stadium, together with equipment, utilities,
30 accessories and appurtenances necessary thereto. The stadium

1 restaurant authorized by this subsection (2)(b) shall be operated by a
2 private concessionaire under a contract with the county.

3 (c) No city within a county exempt under subsection (2)(b) of this
4 section may levy the tax authorized by this section so long as said
5 county is so exempt: PROVIDED, That in the event that any city in such
6 county has levied the tax authorized by this section and has, prior to
7 June 26, 1975, authorized and issued revenue or general obligation
8 bonds pursuant to the provisions of RCW 67.28.150 through 67.28.160,
9 such city may levy the tax so long as and to the extent that the tax
10 revenues are pledged for payment of principal and interest on bonds
11 issued pursuant to the provisions of RCW 67.28.150 through 67.28.160.

12 (3) Any levy authorized by this section by a county that has levied
13 the tax authorized by this section and has, prior to June 26, 1975,
14 either pledged the tax revenues for payment of principal and interest
15 on city revenue or general obligation bonds authorized and issued
16 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and
17 issued revenue or general obligation bonds pursuant to the provisions
18 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

19 (a) Taxes collected under this section in any calendar year in
20 excess of five million three hundred thousand dollars shall only be
21 used for art museums, cultural museums, the arts, and/or the performing
22 arts.

23 (b) No taxes collected under this section may be used for the
24 operation or maintenance of a public stadium that is financed directly
25 or indirectly by bonds to which the tax is pledged. Expenditures for
26 operation or maintenance include all expenditures other than
27 expenditures that directly result in new fixed assets or that directly
28 increase the capacity, life span, or operating economy of existing
29 fixed assets.

1 (c) No ad valorem property taxes may be used for debt service on
2 bonds issued for a public stadium that is financed by bonds to which
3 the tax is pledged, unless the taxes collected under this section are
4 or are projected to be insufficient to meet debt service requirements
5 on such bonds.

6 (d) If a substantial part of the operation and management of a
7 public stadium that is financed directly or indirectly by bonds to
8 which the tax is pledged is performed by a nonpublic entity or if a
9 public stadium is sold that is financed directly or indirectly by bonds
10 to which the tax is pledged, any bonds to which the tax is pledged
11 shall be retired.

12 (e) The county shall not lease a public stadium that is financed
13 directly or indirectly by bonds to which the tax is pledged to, or
14 authorize the use of the public stadium by, a professional major league
15 sports franchise unless the sports franchise gives the right of first
16 refusal to purchase the sports franchise, upon its sale, to local
17 government. This subsection (3)(e) does not apply to contracts in
18 existence on April 1, 1986.

19 If a court of competent jurisdiction declares any provision of this
20 subsection (3) invalid, then that invalid provision shall be null and
21 void and the remainder of this section is not affected.

22 **Sec. 100.** RCW 67.28.240 and 1988 ex.s. c 1 s 21 are each amended
23 to read as follows:

24 (1) The legislative body of a county that qualified under RCW
25 67.28.180(2)(b) other than a (~~class AA~~) county with a population of
26 one million or more and the legislative bodies of cities in the
27 qualifying county are each authorized to levy and collect a special
28 excise tax of two percent on the sale of or charge made for the
29 furnishing of lodging by a hotel, rooming house, tourist court, motel,

1 trailer camp, and the granting of any similar license to use real
2 property, as distinguished from the renting or leasing of real
3 property. For the purposes of this tax, it shall be presumed that the
4 occupancy of real property for a continuous period of one month or more
5 constitutes a rental or lease of real property and not a mere license
6 to use or to enjoy the same.

7 (2) No city may impose the special excise tax authorized in
8 subsection (1) of this section during the time the city is imposing the
9 tax under RCW 67.28.180, and no county may impose the special excise
10 tax authorized in subsection (1) of this section until such time as
11 those cities within the county containing at least one-half of the
12 total incorporated population have imposed the tax.

13 (3) Any county ordinance or resolution adopted under this section
14 shall contain, in addition to all other provisions required to conform
15 to this chapter, a provision allowing a credit against the county tax
16 for the full amount of any city tax imposed under this section upon the
17 same taxable event.

18 (4) Any seller, as defined in RCW 82.08.010, who is required to
19 collect any tax under this section shall pay over such tax to the
20 county or city as provided in RCW 67.28.200. The deduction from state
21 taxes under RCW 67.28.190 does not apply to taxes imposed under this
22 section.

23 **Sec. 101.** RCW 70.46.030 and 1969 ex.s. c 70 s 1 are each amended
24 to read as follows:

25 A health district to consist of one county only and including all
26 cities and towns therein except cities having a population of over one
27 hundred thousand may be created whenever the (~~board of county~~
28 ~~commissioners~~) county legislative authority of the county shall pass
29 a resolution to organize such a health district under chapter 70.05 RCW

1 and RCW 70.46.020 through 70.46.090. The district board of health of
2 such district shall consist of not less than five members, including
3 the three members of the (~~board of county commissioners~~) county
4 legislative authority of the county: PROVIDED, That if such health
5 district consists of a county (~~of the second class~~) with a population
6 of from seventy thousand to less than one hundred twenty-five thousand,
7 the district board of health shall consist of not less than six
8 members, including the three members of the (~~board of county~~
9 ~~commissioners~~) county legislative authority of the county and one
10 person who is a qualified voter of an unincorporated rural area of the
11 county and who is appointed by the legislative authority of the county.
12 The remaining members shall be representatives of the cities and towns
13 in the district selected by mutual agreement of the legislative bodies
14 of the cities and towns concerned from their membership, taking into
15 consideration the respective populations and financial contributions of
16 such cities and towns.

17 At the first meeting of a district board of health, the members
18 shall elect a chairman to serve for a period of one year.

19 **Sec. 102.** RCW 70.54.180 and 1979 ex.s. c 63 s 2 are each amended
20 to read as follows:

21 (1) For the purpose of this section "telecommunication device"
22 means an instrument for telecommunication in which speaking or hearing
23 is not required for communicators.

24 (2) The county legislative authority of each (~~fourth class or~~
25 ~~larger~~) county with a population of eighteen thousand or more and the
26 governing body of each city with a population in excess of ten thousand
27 shall provide by July 1, 1980, for a telecommunication device in their
28 jurisdiction or through a central dispatch office that will assure
29 access to police, fire, or other emergency services.

1 (3) The county legislative authority of each (~~(fifth class or~~
2 ~~smaller)~~) county with a population of eighteen thousand or less shall
3 by July 1, 1980, make a determination of whether sufficient need exists
4 with their respective counties to require installation of a
5 telecommunication device. Reconsideration of such determination will be
6 made at any future date when a deaf individual indicates a need for
7 such an instrument.

8 **Sec. 103.** RCW 70.94.053 and 1987 c 505 s 60 and 1987 c 109 s 34
9 are each reenacted and amended to read as follows:

10 (1) In each county of the state there is hereby created an air
11 pollution control authority, which shall bear the name of the county
12 within which it is located. The boundaries of each authority shall be
13 coextensive with the boundaries of the county within which it is
14 located. An authority shall include all incorporated and
15 unincorporated areas of the county within which it is located.

16 (2) All authorities which are presently or may hereafter be within
17 counties (~~(of the first class, class A or class AA,)~~) with populations
18 of one hundred twenty-five thousand or more are hereby designated as
19 activated authorities and shall carry out the duties and exercise the
20 powers provided in this chapter. Those authorities hereby activated
21 which encompass contiguous counties located in one or the other of the
22 two major areas determined in RCW 70.94.011 are declared to be and
23 directed to function as a multicounty authority.

24 (3) Except as provided in RCW 70.94.232, all other air pollution
25 control authorities are hereby designated as inactive authorities.

26 (4) The boards of those authorities designated as activated
27 authorities by this chapter shall be comprised of such appointees
28 and/or members of county (~~(commissioners)~~) legislative authorities or
29 other officers as is provided in RCW 70.94.100. The first meeting of

1 the boards of those authorities designated as activated authorities by
2 this chapter shall be on or before sixty days after June 8, 1967.

3 (5) The department is directed to conduct the necessary evaluations
4 and delineate appropriate air pollution regions throughout the state,
5 taking into consideration:

6 (a) The natural climatic and topographic features affecting the
7 potential for buildup of air contaminant concentrations.

8 (b) The degree of urbanization and industrialization and the
9 existence of activities which are likely to cause air pollution.

10 (c) The county boundaries as related to the air pollution regions
11 and the practicality of administering air pollution control programs.

12 **Sec. 104.** RCW 70.94.055 and 1967 c 238 s 5 are each amended to
13 read as follows:

14 The ~~((board of))~~ county ~~((commissioners))~~ legislative authority of
15 any county ~~((other than a first class, class A or class AA county))~~
16 with a population of less than one hundred twenty-five thousand may
17 activate an air pollution control authority following a public hearing
18 on its own motion, or upon a filing of a petition signed by one hundred
19 property owners within the county. If the ~~((board of))~~ county
20 ~~((commissioners))~~ legislative authority determines as a result of the
21 public hearing that:

22 (1) Air pollution exists or is likely to occur; and

23 (2) The city or town ordinances or county resolutions, or their
24 enforcement, are inadequate to prevent or control air pollution,
25 ~~((they))~~ it shall by resolution activate an air pollution control
26 authority or combine with a contiguous county or counties to form a
27 multicounty air pollution control authority.

1 **Sec. 105.** RCW 70.142.040 and 1984 c 187 s 3 are each amended to
2 read as follows:

3 Each local health department serving a county (~~(of the first class~~
4 ~~or larger))~~ with a population of one hundred twenty-five thousand or
5 more may establish water quality standards for its jurisdiction more
6 stringent than standards established by the state board of health.
7 Each local health department establishing such standards shall base the
8 standards on the best available scientific information.

9 **Sec. 106.** RCW 71.05.135 and 1989 c 174 s 1 are each amended to
10 read as follows:

11 In (~~(class A counties and counties of the first through ninth~~
12 ~~classes))~~ each county with a population of less than one million, the
13 superior court may appoint the following persons to assist the superior
14 court in disposing of its business: PROVIDED, That such positions may
15 not be created without prior consent of the county legislative
16 authority:

17 (1) One or more attorneys to act as mental health commissioners;
18 and

19 (2) Such investigators, stenographers, and clerks as the court
20 shall find necessary to carry on the work of the mental health
21 commissioners.

22 The appointments provided for in this section shall be made by a
23 majority vote of the judges of the superior court of the county and may
24 be in addition to all other appointments of commissioners and other
25 judicial attaches otherwise authorized by law. Mental health
26 commissioners and investigators shall serve at the pleasure of the
27 judges appointing them and shall receive such compensation as the
28 county legislative authority shall determine. The appointments may be
29 full or part-time positions. A person appointed as a mental health

1 commissioner may also be appointed to any other commissioner position
2 authorized by law.

3 **Sec. 107.** RCW 71.24.045 and 1989 c 205 s 4 are each amended to
4 read as follows:

5 The county authority shall:

6 (1) Submit biennial needs assessments beginning January 1, 1983,
7 and mental health service plans which incorporate all services provided
8 for by the county authority consistent with state minimum standards and
9 which provide access to treatment for the county's residents including
10 children and other underserved populations who are acutely mentally
11 ill, chronically mentally ill, or seriously disturbed. The county
12 program shall provide:

13 (a) Outpatient services;

14 (b) Emergency care services for twenty-four hours per day;

15 (c) Day treatment for mentally ill persons which includes training
16 in basic living and social skills, supported work, vocational
17 rehabilitation, and day activities. Such services may include
18 therapeutic treatment. In the case of a child, day treatment includes
19 age-appropriate basic living and social skills, educational and
20 prevocational services, day activities, and therapeutic treatment;

21 (d) Screening for patients being considered for admission to state
22 mental health facilities to determine appropriateness of admission;

23 (e) Consultation and education services;

24 (f) Residential and inpatient services, if the county chooses to
25 provide such optional services; and

26 (g) Community support services.

27 The county shall develop the biennial needs assessment based on
28 clients to be served, services to be provided, and the cost of those
29 services, and may include input from the public, clients, and licensed

1 service providers. Each county authority may appoint a county mental
2 health advisory board which shall review and provide comments on plans
3 and policies developed by the county authority under this chapter. The
4 composition of the board shall be broadly representative of the
5 demographic character of the county and the mentally ill persons served
6 therein. Length of terms of board members shall be determined by the
7 county authority;

8 (2) Contract as needed with licensed service providers. The county
9 authority may, in the absence of a licensed service provider entity,
10 become a licensed service provider entity pursuant to minimum standards
11 required for licensing by the department for the purpose of providing
12 services not available from licensed service providers;

13 (3) Operate as a licensed service provider if it deems that doing
14 so is more efficient and cost effective than contracting for services.
15 When doing so, the county authority shall comply with rules promulgated
16 by the secretary that shall provide measurements to determine when a
17 county provided service is more efficient and cost effective.

18 (4) Monitor and perform biennial fiscal audits of licensed service
19 providers who have contracted with the county to provide services
20 required by this chapter. The monitoring and audits shall be performed
21 by means of a formal process which insures that the licensed service
22 providers and professionals designated in this subsection meet the
23 terms of their contracts, including the minimum standards of service
24 delivery as established by the department;

25 (5) Assure that the special needs of minorities, the elderly,
26 disabled, children, and low-income persons are met within the
27 priorities established in this chapter;

28 (6) Maintain patient tracking information in a central location as
29 required for resource management services;

1 (7) Use not more than two percent of state-appropriated community
2 mental health funds, which shall not include federal funds, to
3 administer community mental health programs under RCW 71.24.155:
4 PROVIDED, That county authorities serving a county or combination of
5 counties whose population is (~~equal to or greater than that of a~~
6 ~~county of the first class~~) one hundred twenty-five thousand or more
7 may be entitled to sufficient state-appropriated community mental
8 health funds to employ up to one full-time employee or the equivalent
9 thereof in addition to the two percent limit established in this
10 subsection when such employee is providing staff services to a county
11 mental health advisory board;

12 (8) Coordinate services for individuals who have received services
13 through the community mental health system and who become patients at
14 a state mental hospital.

15 **Sec. 108.** RCW 74.20.210 and 1969 ex.s. c 173 s 14 are each amended
16 to read as follows:

17 The prosecuting attorney of any county except (~~class AA counties~~)
18 a county with a population of one million or more may enter into an
19 agreement with the attorney general whereby the duty to initiate
20 petitions for support authorized under the provisions of chapter 26.21
21 RCW as it is now or hereafter amended (Uniform Reciprocal Enforcement
22 of Support Act) in cases where the petitioner has applied for or is
23 receiving public assistance on behalf of a dependent child or children
24 shall become the duty of the attorney general. Any such agreement may
25 also provide that the attorney general has the duty to represent the
26 petitioner in intercounty proceedings within the state initiated by the
27 attorney general which involve a petition received from another county.
28 Upon the execution of such agreement, the attorney general shall be

1 empowered to exercise any and all powers of the prosecuting attorney in
2 connection with said petitions.

3 **Sec. 109.** RCW 76.12.030 and 1988 c 128 s 24 are each amended to
4 read as follows:

5 If any land acquired by a county through foreclosure of tax liens,
6 or otherwise, comes within the classification of land described in RCW
7 76.12.020 and can be used as state forest land and if the department
8 deems such land necessary for the purposes of this chapter, the county
9 shall, upon demand by the department, deed such land to the department
10 and the land shall become a part of the state forest lands.

11 Such land shall be held in trust and administered and protected by
12 the department as other state forest lands. Any moneys derived from
13 the lease of such land or from the sale of forest products, oils,
14 gases, coal, minerals, or fossils therefrom, shall be distributed as
15 follows:

16 (1) The expense incurred by the state for administration,
17 reforestation, and protection, not to exceed twenty-five percent, which
18 rate of percentage shall be determined by the board of natural
19 resources, shall be returned to the forest development account in the
20 state general fund.

21 (2) Any balance remaining shall be paid to the county in which the
22 land is located to be paid, distributed, and prorated, except as
23 hereinafter provided, to the various funds in the same manner as
24 general taxes are paid and distributed during the year of payment:
25 PROVIDED, That any such balance remaining paid to a county (~~of the~~
26 ~~seventh, eighth, or ninth class~~) with a population of less than eight
27 thousand shall first be applied to the reduction of any indebtedness
28 existing in the current expense fund of such county during the year of
29 payment.

1 **Sec. 110.** RCW 79.08.170 and 1983 c 3 s 201 are each amended to
2 read as follows:

3 The duties of the county auditor in ~~((class AA and class A~~
4 ~~counties))~~ each county with a population of two hundred ten thousand or
5 more, with regard to sales and leases of the state lands dealt with
6 under Title 79 RCW except RCW 79.01.100, 79.01.104, and 79.94.040, are
7 transferred to the county treasurer.

8 **Sec. 111.** RCW 81.100.030 and 1990 c 43 s 14 are each amended to
9 read as follows:

10 (1) A ~~((class AA))~~ county with a population of one million or more,
11 or a ~~((class A))~~ county with a population of from two hundred ten
12 thousand to less than one million that is adjoining a ((class AA))
13 county with a population of one million or more, and having within its
14 boundaries existing or planned high occupancy vehicle lanes on the
15 state highway system, may, with voter approval impose an excise tax of
16 up to two dollars per employee per month on all employers or any class
17 or classes of employers, public and private, including the state
18 located in the agency's jurisdiction, measured by the number of full-
19 time equivalent employees. The county imposing the tax authorized in
20 this section may provide for exemptions from the tax to such
21 educational, cultural, health, charitable, or religious organizations
22 as it deems appropriate.

23 Counties may contract with the state department of revenue or other
24 appropriate entities for administration and collection of the tax.
25 Such contract shall provide for deduction of an amount for
26 administration and collection expenses.

27 (2) The tax shall not apply to employment of a person when the
28 employer has paid for at least half of the cost of a transit pass

1 issued by a transit agency for that employee, valid for the period for
2 which the tax would otherwise be owed.

3 (3) A county shall adopt rules which exempt from all or a portion
4 of the tax any employer that has entered into an agreement with the
5 county that is designed to reduce the proportion of employees who drive
6 in single-occupant vehicles during peak commuting periods in proportion
7 to the degree that the agreement is designed to meet the goals for the
8 employer's location adopted under RCW 81.100.040.

9 The agreement shall include a list of specific actions that the
10 employer will undertake to be entitled to the exemption. Employers
11 having an exemption from all or part of the tax through this subsection
12 shall annually certify to the county that the employer is fulfilling
13 the terms of the agreement. The exemption continues as long as the
14 employer is in compliance with the agreement.

15 If the tax authorized in RCW 81.100.060 is also imposed by the
16 county, the total proceeds from both tax sources each year shall not
17 exceed the maximum amount which could be collected under RCW
18 81.100.060.

19 **Sec. 112.** RCW 81.100.060 and 1990 c 43 s 17 are each amended to
20 read as follows:

21 A ((~~class AA~~)) county with a population of one million or more and
22 a ((~~class A~~)) county with a population of from two hundred ten thousand
23 to less than one million that is adjoining a ((~~class AA~~)) county with
24 a population of one million or more, having within their boundaries
25 existing or planned high occupancy vehicle lanes on the state highway
26 system may, with voter approval, impose a local surcharge of not more
27 than fifteen percent on the state motor vehicle excise tax paid under
28 RCW 82.44.020(1) on vehicles registered to a person residing within the
29 county. No surcharge may be imposed on vehicles licensed under RCW

1 46.16.070 except vehicles with an unladen weight of six thousand pounds
2 or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

3 Counties imposing a tax under this section shall contract, before
4 the effective date of the resolution or ordinance imposing a surcharge,
5 administration and collection to the state department of licensing,
6 which shall deduct an amount, as provided by contract, for
7 administration and collection expenses incurred by the department. All
8 administrative provisions in chapters 82.03, 82.32, and 82.44 RCW
9 shall, insofar as they are applicable to state motor vehicle excise
10 taxes, be applicable to surcharges imposed under this section.

11 If the tax authorized in RCW 81.100.030 is also imposed by the
12 county, the total proceeds from both tax sources each year shall not
13 exceed the maximum amount which could be collected under this section.

14 **Sec. 113.** RCW 81.104.030 and 1990 c 43 s 24 are each amended to
15 read as follows:

16 (1) In any ~~((class A))~~ county with a population of from two hundred
17 ten thousand to less than one million that is not bordered by a ~~((class~~
18 ~~AA))~~ county with a population of one million or more, and in ~~((counties~~
19 ~~of the first class and smaller))~~ each county with a population of less
20 than two hundred ten thousand, city-owned transit systems, county
21 transportation authorities, metropolitan municipal corporations, and
22 public transportation benefit areas may elect to establish high
23 capacity transportation service. Such agencies shall form a regional
24 policy committee with proportional representation based upon population
25 distribution within the designated service area and a representative of
26 the department of transportation.

27 (a) City-owned transit systems, county transportation authorities,
28 metropolitan municipal corporations, and public transportation benefit
29 areas participating in joint regional policy committees shall seek

1 voter approval within their own service boundaries of a high capacity
2 transportation system plan and an implementation program including a
3 financing program.

4 (b) An interim regional authority may be formed pursuant to RCW
5 81.104.040(2) and shall seek voter approval of a high capacity
6 transportation plan and financing program within its proposed service
7 boundaries.

8 (2) City-owned transit systems, county transportation authorities,
9 metropolitan municipal corporations, and public transportation benefit
10 areas in counties adjoining state or international boundaries are
11 authorized to participate in the regional high capacity transportation
12 programs of an adjoining state or nation.

13 **Sec. 114.** RCW 81.104.040 and 1990 c 43 s 25 are each amended to
14 read as follows:

15 (1) Agencies in ~~((a class AA))~~ each county with a population of one
16 million or more, and in ~~((class A counties))~~ each county with a
17 population of from two hundred ten thousand to less than one million
18 bordering a ~~((class AA))~~ county with a population of one million or
19 more that are currently authorized to provide high capacity
20 transportation planning and operating services, including but not
21 limited to city-owned transit systems, county transportation
22 authorities, metropolitan municipal corporations, and public
23 transportation benefit areas, must establish through interlocal
24 agreements a joint regional policy committee with proportional
25 representation based upon the population distribution within each
26 agency's designated service area, as determined by the parties to the
27 agreement.

28 (a) The membership of the joint regional policy committee shall
29 consist of locally elected officials who serve on the legislative

1 authority of the existing transit systems and a representative from the
2 department of transportation. Nonvoting membership for elected
3 officials from adjoining counties may be allowed at the committee's
4 discretion.

5 (b) The joint regional policy committee shall be responsible for
6 the preparation and adoption of a regional high capacity transportation
7 system plan and an implementation program including a financing
8 package. This plan shall be in conformance with the metropolitan
9 planning organization's regional transportation plan.

10 (c) Interlocal agreements shall be executed within two years of
11 March 14, 1990. The joint regional policy committee shall present a
12 high capacity transportation plan and local funding program to the
13 boards of directors of the transit agencies within the service area for
14 adoption.

15 (d) Transit agencies shall present the adopted plan and financing
16 program for voter approval within four years of the execution of the
17 interlocal agreements. A simple majority vote is required for approval
18 of the high capacity transportation plan and financing program in any
19 service district within each county. Implementation of the program may
20 proceed in any service area approving the plan and program.

21 (2) If interlocal agreements have not been executed within two
22 years from March 14, 1990, the designated metropolitan planning
23 organization shall convene within one hundred eighty days a conference
24 to be attended by an elected representative selected by the legislative
25 authority of each city and county in a ((~~class-AA~~)) county with a
26 population of one million or more, and in ((~~class-A counties~~)) each
27 county with a population of from two hundred ten thousand to less than
28 one million bordering a ((~~class-AA~~)) county with a population of one
29 million or more.

1 (a) Public notice of the conference shall occur thirty days before
2 the date of the conference.

3 (b) The purpose of the conference is to evaluate the need for
4 developing high capacity transportation service in a ((~~class AA~~))
5 county with a population of one million or more and in ((~~class A~~
6 ~~counties~~)) each county with a population of from two hundred ten
7 thousand to less than one million bordering a ((~~class AA~~)) county with
8 a population of one million or more and to determine the desirability
9 of a regional approach to developing such service.

10 (c) The conference may elect to continue high capacity
11 transportation efforts on a subregional basis through existing transit
12 planning and operating agencies.

13 (d) The conference may elect to pursue regional development by
14 creating a multicounty interim regional high capacity transportation
15 authority. Conference members shall determine the structure and
16 composition of any interim regional authority.

17 (i) The interim regional authority shall propose a permanent
18 authority or authorities for voter approval. Permanent regional
19 authorities shall become the responsible agencies for planning,
20 construction, operations, and funding of high capacity transportation
21 systems within their service boundaries. Funding sources for a
22 regional high capacity transportation authority or authorities are
23 separate from currently authorized funding sources for city-owned
24 transit systems, county transportation authorities, metropolitan
25 municipal authorities, or public transportation benefit areas.

26 (ii) State and local jurisdictions, county transportation
27 authorities, metropolitan municipal corporations, or public
28 transportation benefit areas shall retain responsibility for existing
29 facilities and/or services, unless the responsibility is transferred to

1 the high capacity transportation authority or authorities by interlocal
2 agreement.

3 (3) If, within four years of the execution of the interlocal
4 agreements, a high capacity transportation plan and financing program
5 has been approved by a simple majority vote within a participating
6 jurisdiction, that jurisdiction may proceed with high capacity
7 transportation development. If within four years of the execution of
8 the interlocal agreements, a high capacity transportation plan and
9 program has not been approved by a simple majority vote within one or
10 more of the participating jurisdictions, the joint regional policy
11 committee shall convene within one hundred eighty days, a conference to
12 be attended by participating jurisdictions within which a plan and
13 financing program have not been approved. Such a conference shall be
14 for the same purpose and shall be subject to the same conditions as
15 described in subsection (2) of this section.

16 (4) High capacity transportation service planning, construction,
17 operations, and funding shall be governed through the interlocal
18 agreement process, including but not limited to provision for a cost
19 allocation and distribution formula, service corridors, station area
20 locations, right of way transfers, and feeder transportation systems.
21 The interlocal agreement shall include a mechanism for resolving
22 conflicts among parties to the agreement.

23 **Sec. 115.** RCW 81.104.140 and 1990 c 43 s 35 are each amended to
24 read as follows:

25 (1) Agencies authorized to provide high capacity transportation
26 service, including city-owned transit systems, county transportation
27 authorities, metropolitan municipal corporations and public
28 transportation benefit areas, are hereby granted dedicated funding
29 sources for such systems. These dedicated funding sources, as set

1 forth in RCW 81.104.150, 81.104.160, and 81.104.170, are authorized
2 only for agencies located in (~~class AA counties, class A counties,~~
3 ~~counties of the first class which border another state, and counties~~
4 ~~which, on March 14, 1990, are of the second class and which adjoin~~
5 ~~class A counties~~)) each county with a population of two hundred ten
6 thousand or more and each county with a population of from one hundred
7 twenty-five thousand to less than two hundred ten thousand, that both
8 borders a county with a population of five hundred thousand or more and
9 has a portion of its common boundary with that county intersected by an
10 interstate highway.

11 (2) Agencies providing high capacity transportation service should
12 also seek other funds, including federal, state, local, and private
13 sector assistance.

14 (3) Funding sources should satisfy each of the following criteria
15 to the greatest extent possible:

- 16 (a) Acceptability;
- 17 (b) Ease of administration;
- 18 (c) Equity;
- 19 (d) Implementation feasibility;
- 20 (e) Revenue reliability; and
- 21 (f) Revenue yield.

22 (4) Agencies participating in regional high capacity transportation
23 system development through interlocal agreements or a conference-
24 approved interim regional rail authority or subregional process as
25 defined in RCW 81.104.040 are authorized to levy and collect the
26 following voter-approved local option funding sources:

- 27 (a) Employer tax as provided in RCW 81.104.150;
- 28 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;
- 29 and
- 30 (c) Sales and use tax as provided in RCW 81.104.170.

1 Revenues from these taxes may be used only to support those
2 purposes prescribed in subsection (8) of this section. Before an
3 agency may impose any of the taxes enumerated in this section and
4 authorized in RCW 81.104.150, 81.104.160, and 81.104.170, it must
5 comply with the process prescribed in RCW 81.104.100 and 81.104.110.

6 (5) Authorization in subsection (4) of this section shall not
7 adversely affect the funding authority of existing transit agencies.
8 Local option funds may be used to support implementation of interlocal
9 agreements with respect to the establishment of regional high capacity
10 transportation service. Local jurisdictions shall retain control over
11 moneys generated within their boundaries, although funds may be
12 commingled for planning, construction, and operation of high capacity
13 transportation systems as set forth in the agreements.

14 (6) Agencies providing high capacity transportation service may
15 contract with the state for collection and transference of local option
16 revenue.

17 (7) Dedicated high capacity transportation funding shall be subject
18 to voter approval by a simple majority.

19 (8) Agencies providing high capacity transportation service shall
20 retain responsibility for revenue encumbrance, disbursement, and
21 bonding. Funds may be used for any purpose relating to planning,
22 construction, and operation of high capacity transportation, commuter
23 rail, and feeder transportation systems.

24 **Sec. 116.** RCW 82.14.045 and 1984 c 112 s 1 and 1983 c 3 s 216 are
25 each reenacted and amended to read as follows:

26 (1) The legislative body of any city pursuant to RCW 35.92.060, of
27 any county which has created an unincorporated transportation benefit
28 area pursuant to RCW 36.57.100 and 36.57.110, of any public
29 transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090,

1 of any county transportation authority established pursuant to chapter
2 36.57 RCW, and of any metropolitan municipal corporation within a
3 (~~class AA~~) county with a population of one million or more pursuant
4 to chapter 35.58 RCW, may, by resolution or ordinance for the sole
5 purpose of providing funds for the operation, maintenance, or capital
6 needs of public transportation systems and in lieu of the excise taxes
7 authorized by RCW 35.95.040, submit an authorizing proposition to the
8 voters or include such authorization in a proposition to perform the
9 function of public transportation and if approved by a majority of
10 persons voting thereon, fix and impose a sales and use tax in
11 accordance with the terms of this chapter: PROVIDED, That no such
12 legislative body shall impose such a sales and use tax without
13 submitting such an authorizing proposition to the voters and obtaining
14 the approval of a majority of persons voting thereon: PROVIDED
15 FURTHER, That where such a proposition is submitted by a county on
16 behalf of an unincorporated transportation benefit area, it shall be
17 voted upon by the voters residing within the boundaries of such
18 unincorporated transportation benefit area and, if approved, the sales
19 and use tax shall be imposed only within such area. Notwithstanding
20 any provisions of this section to the contrary, any county in which a
21 county public transportation plan has been adopted pursuant to RCW
22 36.57.070 and the voters of such county have authorized the imposition
23 of a sales and use tax pursuant to the provisions of section 10,
24 chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be
25 authorized to fix and impose a sales and use tax as provided in this
26 section at not to exceed the rate so authorized without additional
27 approval of the voters of such county as otherwise required by this
28 section.

29 The tax authorized pursuant to this section shall be in addition to
30 the tax authorized by RCW 82.14.030 and shall be collected from those

1 persons who are taxable by the state pursuant to chapters 82.08 and
2 82.12 RCW upon the occurrence of any taxable event within such city,
3 public transportation benefit area, county, or metropolitan municipal
4 corporation as the case may be. The rate of such tax shall be one-
5 tenth, two-tenths, three-tenths, four-tenths, five-tenths, or six-
6 tenths of one percent of the selling price (in the case of a sales tax)
7 or value of the article used (in the case of a use tax). The rate of
8 such tax shall not exceed the rate authorized by the voters unless such
9 increase shall be similarly approved.

10 (2) (a) In the event a metropolitan municipal corporation shall
11 impose a sales and use tax pursuant to this chapter no city, county
12 which has created an unincorporated transportation benefit area, public
13 transportation benefit area authority, or county transportation
14 authority wholly within such metropolitan municipal corporation shall
15 be empowered to levy and/or collect taxes pursuant to RCW 35.58.273,
16 35.95.040, and/or 82.14.045, but nothing herein shall prevent such city
17 or county from imposing sales and use taxes pursuant to any other
18 authorization.

19 (b) In the event a county transportation authority shall impose a
20 sales and use tax pursuant to this section, no city, county which has
21 created an unincorporated transportation benefit area, public
22 transportation benefit area, or metropolitan municipal corporation,
23 located within the territory of the authority, shall be empowered to
24 levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or
25 82.14.045.

26 (c) In the event a public transportation benefit area shall impose
27 a sales and use tax pursuant to this section, no city, county which has
28 created an unincorporated transportation benefit area, or metropolitan
29 municipal corporation, located wholly or partly within the territory of

1 the public transportation benefit area, shall be empowered to levy or
2 collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045.

3 (3) Any local sales and use tax revenue collected pursuant to this
4 section by any city or by any county for transportation purposes
5 pursuant to RCW 36.57.100 and 36.57.110 shall not be counted as locally
6 generated tax revenues for the purposes of apportionment and
7 distribution, in the manner prescribed by chapter 82.44 RCW, of the
8 proceeds of the motor vehicle excise tax authorized pursuant to RCW
9 35.58.273.

10 **Sec. 117.** RCW 82.44.150 and 1990 c 42 s 308 are each amended to
11 read as follows:

12 (1) The director of licensing shall, on the twenty-fifth day of
13 February, May, August, and November of each year, advise the state
14 treasurer of the total amount of motor vehicle excise taxes remitted to
15 the department during the preceding calendar quarter ending on the last
16 day of March, June, September, and December, respectively, except for
17 those payable under RCW 82.44.030, from motor vehicle owners residing
18 within each municipality which has levied a tax under RCW 35.58.273,
19 which amount of excise taxes shall be determined by the director as
20 follows:

21 The total amount of motor vehicle excise taxes remitted to the
22 department, except those payable under RCW 82.44.030, from each county
23 shall be multiplied by a fraction, the numerator of which is the
24 population of the municipality residing in such county, and the
25 denominator of which is the total population of the county in which
26 such municipality or portion thereof is located. The product of this
27 computation shall be the amount of excise taxes from motor vehicle
28 owners residing within such municipality or portion thereof. Where the
29 municipality levying a tax under RCW 35.58.273 is located in more than

1 one county, the above computation shall be made by county, and the
2 combined products shall provide the total amount of motor vehicle
3 excise taxes from motor vehicle owners residing in the municipality as
4 a whole. Population figures required for these computations shall be
5 supplied to the director by the office of financial management, who
6 shall adjust the fraction annually.

7 (2) On the first day of the months of January, April, July, and
8 October of each year, the state treasurer based upon information
9 provided by the department shall, from motor vehicle excise taxes
10 deposited in the general fund, under RCW 82.44.110(7), make the
11 following deposits:

12 (a) To the high capacity transportation account created in RCW
13 47.78.010, a sum equal to four and five-tenths percent of the special
14 excise tax levied under RCW 35.58.273 by those municipalities
15 authorized to levy a special excise tax within a (~~class AA county, or~~
16 ~~within a class A county contiguous to a class AA county, or within a~~
17 ~~second class county contiguous to a class A county that is contiguous~~
18 ~~to a class AA county)) county with a population of one million or more,
19 or within a county with a population of from two hundred ten thousand
20 to less than one million bordering a county with a population of one
21 million or more, or within a county with a population of from one
22 hundred twenty-five thousand to less than two hundred thousand that
23 both borders a county with a population of five hundred thousand or
24 more and has a portion of its common boundary with that county
25 intersected by an interstate highway;~~

26 (b) To the central Puget Sound public transportation account
27 created in RCW 82.44.180, for revenues distributed after December 31,
28 1992, within a (~~class AA county or within a class A county contiguous~~
29 ~~to a class AA)) county with a population of one million or more and a
30 county with a population of from two hundred thousand to less than one~~

1 million bordering a county with a population of one million or more, a
2 sum equal to the difference between (i) the special excise tax levied
3 and collected under RCW 35.58.273 by those municipalities authorized to
4 levy and collect a special excise tax subject to the requirements of
5 subsections (3) and (4) of this section and (ii) the special excise tax
6 that the municipality would otherwise have been eligible to levy and
7 collect at a tax rate of .815 percent and been able to match with
8 locally generated tax revenues, other than the excise tax imposed under
9 RCW 35.58.273, budgeted for any public transportation purpose. Before
10 this deposit, the sum shall be reduced by an amount equal to the amount
11 distributed under (a) of this subsection for each of the municipalities
12 within the counties to which this subsection (2)(b) applies; however,
13 any transfer under this subsection (2)(b) must be greater than zero;

14 (c) To the public transportation systems account created in RCW
15 82.44.180, for revenues distributed after December 31, 1992, within
16 counties not described in (b) of this subsection, a sum equal to the
17 difference between (i) the special excise tax levied and collected
18 under RCW 35.58.273 by those municipalities authorized to levy and
19 collect a special excise tax subject to the requirements of subsections
20 (3) and (4) of this section and (ii) the special excise tax that the
21 municipality would otherwise have been eligible to levy and collect at
22 a tax rate of .815 percent and been able to match with locally
23 generated tax revenues, other than the excise tax imposed under RCW
24 35.58.273, budgeted for any public transportation purpose. Before this
25 deposit, the sum shall be reduced by an amount equal to the amount
26 distributed under (a) of this subsection for each of the municipalities
27 within the counties to which this subsection (2)(c) applies; however,
28 any transfer under this subsection (2)(c) must be greater than zero;
29 and

1 (d) To the transportation fund created in RCW 82.44.180, for
2 revenues distributed after June 30, 1991, a sum equal to the difference
3 between (i) the special excise tax levied and collected under RCW
4 35.58.273 by those municipalities authorized to levy and collect a
5 special excise tax subject to the requirements of subsections (3) and
6 (4) of this section and (ii) the special excise tax that the
7 municipality would otherwise have been eligible to levy and collect at
8 a tax rate of .815 percent notwithstanding the requirements set forth
9 in subsections (3) through (6) of this section, reduced by an amount
10 equal to distributions made under (a), (b), and (c) of this subsection.

11 (3) On the first day of the months of January, April, July, and
12 October of each year, the state treasurer, based upon information
13 provided by the department, shall remit motor vehicle excise tax
14 revenues imposed and collected under RCW 35.58.273 as follows:

15 (a) The amount required to be remitted by the state treasurer to
16 the treasurer of any municipality levying the tax shall not exceed in
17 any calendar year the amount of locally-generated tax revenues,
18 excluding the excise tax imposed under RCW 35.58.273 for the purposes
19 of this section, which shall have been budgeted by the municipality to
20 be collected in such calendar year for any public transportation
21 purposes including but not limited to operating costs, capital costs,
22 and debt service on general obligation or revenue bonds issued for
23 these purposes; and

24 (b) In no event may the amount remitted in a single calendar
25 quarter exceed the amount collected on behalf of the municipality under
26 RCW 35.58.273 during the calendar quarter next preceding the
27 immediately preceding quarter.

28 (4) At the close of each calendar year accounting period, but not
29 later than April 1, each municipality that has received motor vehicle
30 excise taxes under subsection (3) of this section shall transmit to the

1 director of licensing and the state auditor a written report showing by
2 source the previous year's budgeted tax revenues for public
3 transportation purposes as compared to actual collections. Any
4 municipality that has not submitted the report by April 1 shall cease
5 to be eligible to receive motor vehicle excise taxes under subsection
6 (3) of this section until the report is received by the director of
7 licensing. If a municipality has received more or less money under
8 subsection (3) of this section for the period covered by the report
9 than it is entitled to receive by reason of its locally-generated
10 collected tax revenues, the director of licensing shall, during the
11 next ensuing quarter that the municipality is eligible to receive motor
12 vehicle excise tax funds, increase or decrease the amount to be
13 remitted in an amount equal to the difference between the locally-
14 generated budgeted tax revenues and the locally-generated collected tax
15 revenues. In no event may the amount remitted for a calendar year
16 exceed the amount collected on behalf of the municipality under RCW
17 35.58.273 during that same calendar year. At the time of the next
18 fiscal audit of each municipality, the state auditor shall verify the
19 accuracy of the report submitted and notify the director of licensing
20 of any discrepancies.

21 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
22 required to be remitted under this section shall be remitted without
23 legislative appropriation.

24 (6) Any municipality levying and collecting a tax under RCW
25 35.58.273 which does not have an operating, public transit system or a
26 contract for public transportation services in effect within one year
27 from the initial effective date of the tax shall return to the state
28 treasurer all motor vehicle excise taxes received under subsection (3)
29 of this section.

1 **Sec. 118.** RCW 87.19.020 and 1923 c 161 s 6 are each amended to
2 read as follows:

3 The notice of election provided for in this chapter shall be given
4 and ~~((said))~~ the election held in all respects in accordance with RCW
5 87.03.200, except in ~~((first class and class A counties))~~ each county
6 with a population of one hundred twenty-five thousand or more, where
7 the ~~((said))~~ notice and election shall be held in the manner provided
8 by law for such counties.

9 **Sec. 119.** RCW 88.32.230 and 1970 ex.s. c 42 s 37 are each amended
10 to read as follows:

11 Whenever the ~~((board of))~~ county ~~((commissioners))~~ legislative
12 authority of any county ~~((of the first class of this state shall))~~ with
13 a population of one hundred twenty-five thousand or more deems it for
14 the interest of the county to engage in or to aid the United States of
15 America, the state of Washington, or any adjoining county or any city
16 of this state, or any of them, in construction, enlargement,
17 improvement, modification, repair or operation of any harbor, canal,
18 waterway, river channel, slip, dock, wharf, or other public
19 improvement, or any of the same, for the purposes of commerce,
20 navigation, sanitation and drainage, or any thereof, or to acquire or
21 operate wharf sites, dock sites, or other properties, rights or
22 interests, or any thereof, necessary or proper to be acquired or
23 operated for public enjoyment of any such public improvement, and to
24 incur indebtedness to meet the cost thereof and expenses connected
25 therewith, and issue bonds of the county for the payment of such
26 indebtedness, or any thereof, such county is hereby authorized and
27 empowered, by and through its county ~~((commissioners))~~ legislative
28 authority, to engage in or aid in any such public work or works,
29 operation or acquisition, as aforesaid, and to incur indebtedness for

1 such purpose or purposes to an amount, which, together with the then
2 existing indebtedness of such county, shall not exceed two and one-half
3 percent of the value of the taxable property in said county, as the
4 term "value of the taxable property" is defined in RCW 39.36.015, and
5 to issue the negotiable bonds of the county for all or any of such
6 indebtedness and for the payment thereof, in the manner and form and as
7 provided in (~~sections 1846 to 1851, inclusive, of Ballinger's~~
8 ~~Annotated Codes and Statutes of Washington~~) chapter 39.46 RCW, and
9 other laws of this state which shall then be in force, and to make part
10 or all of such payment in bonds or in moneys derived from sale or sales
11 thereof, or partly in such bonds and partly in such money: PROVIDED,
12 That (~~said commissioners~~) the county legislative authority shall have
13 first submitted the question of incurring such indebtedness to the
14 voters of the county at a general or special election, and three-fifths
15 of the voters voting upon the question shall have voted in favor of
16 incurring the same.

17 **Sec. 120.** RCW 53.31.911 and 1990 c 297 s 23 are each reenacted and
18 amended to read as follows:

19 The following acts or parts of acts, as now existing or hereafter
20 amended, are each repealed, effective June 30, 1995:

21 (1) RCW 53.31.010 and 1986 c 276 s 1;

22 (2) RCW 53.31.020 and 1991 c ... s 93 (section 93 of this act) &
23 1986 c 276 s 2;

24 (3) RCW 53.31.030 and 1986 c 276 s 3;

25 (4) RCW 53.31.040 and 1989 c 11 s 23 & 1986 c 276 s 4;

26 (5) RCW 53.31.050 and 1986 c 276 s 5; and

27 (6) RCW 53.31.060 and 1986 c 276 s 6.

1 NEW SECTION. **Sec. 121.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 29.13.025 and 1990 c 59 s 101, 1979 ex.s. c 126 s 13, &
4 1965 c 9 s 29.13.025;

5 (2) RCW 36.13.010 and 1963 c 4 s 36.13.010;

6 (3) RCW 36.13.075 and 1963 c 4 s 36.13.075;

7 (4) RCW 36.13.080 and 1963 c 4 s 36.13.080;

8 (5) RCW 36.13.090 and 1963 c 4 s 36.13.090;

9 (6) RCW 36.93.920 and 1969 ex.s. c 111 s 10;

10 (7) RCW 53.12.040 and 1965 c 51 s 4, 1959 c 175 s 2, & 1959 c 17 s
11 7;

12 (8) RCW 53.12.044 and 1963 c 200 s 21, 1959 c 175 s 4, & 1951 c 69
13 s 3;

14 (9) RCW 53.12.055 and 1965 c 51 s 5 & 1959 c 175 s 10;

15 (10) RCW 53.12.160 and 1963 c 200 s 19, 1951 c 68 s 1, 1941 c 17 s
16 1, & 1935 c 133 s 1; and

17 (11) RCW 53.12.210 and 1963 c 200 s 20, 1941 c 45 s 1, & 1925 ex.s.
18 c 113 s 1.

19 NEW SECTION. **Sec. 122.** (1) Sections 28, 29, 32, and 91 of this
20 act shall take effect July 1, 1992.

21 (2) Section 46 of this act shall take effect July 1, 1993.

22 NEW SECTION. **Sec. 123.** (1) Section 90 of this act shall expire
23 July 1, 1992.

24 (2) Section 45 of this act shall expire July 1, 1993.