
SUBSTITUTE HOUSE BILL 2415

State of Washington

66th Legislature

2020 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Hudgins, Gregerson, Pollet, and Wylie)

READ FIRST TIME 02/04/20.

1 AN ACT Relating to conforming elections for certain special
2 districts with Title 29A RCW; amending RCW 29A.04.330, 85.38.010,
3 85.05.065, 85.05.085, 85.06.015, 85.08.015, 85.08.025, 85.08.300,
4 85.08.305, 85.08.850, 85.08.860, 85.08.870, 85.20.030, 85.22.030,
5 85.24.015, 85.32.150, 85.38.050, 85.38.060, 85.38.070, 85.38.090,
6 85.38.100, 85.38.105, 85.38.115, 85.38.120, 86.09.020, 86.09.172,
7 86.09.259, 86.09.601, 86.09.622, 86.15.050, 85.38.127, 85.38.290,
8 87.03.005, 87.03.020, 87.03.030, 87.03.040, 87.03.075, 87.03.080,
9 87.03.081, 87.03.190, 87.03.215, 87.03.470, 87.03.480, 87.03.485,
10 87.03.535, 87.03.560, 87.03.590, 87.03.615, 87.03.630, 87.03.635,
11 87.03.650, 87.03.675, 87.03.740, 87.03.845, 87.03.847, 87.04.010,
12 87.04.070, 87.04.080, 87.19.010, 87.19.020, 87.22.120, 87.22.125,
13 87.28.103, 87.52.015, 87.52.030, 87.52.080, 87.52.090, 87.53.040,
14 87.53.050, 87.56.010, 87.84.020, 87.84.070, 89.08.110, 89.08.120,
15 89.08.130, 89.08.140, 89.08.160, 89.08.190, and 89.08.200; creating
16 new sections; repealing RCW 85.38.110, 85.38.125, 85.38.130,
17 86.09.377, 86.09.379, 87.03.031, 87.03.032, 87.03.033, 87.03.034,
18 87.03.035, 87.03.045, 87.03.051, 87.03.071, 87.03.085, 87.03.090,
19 87.03.095, 87.03.100, 87.03.105, 87.03.110, 87.53.060, and
20 42.17A.010; and repealing 2002 c 43 s 1 (uncodified).

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

PART I
GENERAL PROVISIONS

Sec. 101. RCW 29A.04.330 and 2015 c 146 s 2 are each amended to read as follows:

(1) All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

(a) Elections for the recall of any elective public officer;

(b) Public utility districts (~~(, conservation districts,)~~) or district elections at which the ownership of property within those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto; and

(c) Consolidation proposals as provided for in RCW 28A.315.235 and nonhigh capital fund aid proposals as provided for in chapter 28A.540 RCW (~~(, and~~

~~(d) Special flood control districts consisting of three or more counties).~~

(2) Subsection (1) of this section does not apply to diking and drainage and related districts governed by Title 85 RCW, flood control and related districts governed by Title 86 RCW, irrigation and related districts governed by Title 87 RCW, and conservation districts governed by chapter 89.08 RCW, all of which shall hold general elections as follows:

(a) In districts with annual budgets that, as of the effective date of this act, are equal to or greater than five million dollars, on the statewide general election date in even-numbered years;

(b) In districts with annual budgets that, as of the effective date of this act, are equal to or greater than one million and five hundred thousand dollars but less than five million dollars, on the dates provided in the laws specifically applicable thereto until 2024, at which point general elections shall be held on the statewide general election date in even-numbered years; and

(c) In districts with annual budgets that, as of the effective date of this act, are less than one million and five hundred thousand dollars, on the dates provided in the laws specifically applicable thereto until 2028, at which point general elections shall be held on the statewide general election date in even-numbered years.

1 (3) The county auditor, as ex officio supervisor of elections,
2 upon request in the form of a resolution of the governing body of a
3 city, town, or district, presented to the auditor prior to the
4 proposed election date, shall call a special election in such city,
5 town, or district, and for the purpose of such special election he or
6 she may combine, unite, or divide precincts. Such a special election
7 shall be held on one of the following dates as decided by the
8 governing body:

9 (a) The second Tuesday in February;

10 (b) The fourth Tuesday in April;

11 (c) The day of the primary election as specified by RCW
12 29A.04.311; or

13 (d) The first Tuesday after the first Monday in November.

14 ~~((3))~~ (4) A resolution calling for a special election on a date
15 set forth in subsection ~~((2))~~ (3)(a) and (b) of this section must
16 be presented to the county auditor at least sixty days prior to the
17 election date. A resolution calling for a special election on a date
18 set forth in subsection ~~((2))~~ (3)(c) of this section must be
19 presented to the county auditor no later than the Friday immediately
20 before the first day of regular candidate filing. A resolution
21 calling for a special election on a date set forth in subsection
22 ~~((2))~~ (3)(d) of this section must be presented to the county
23 auditor no later than the day of the primary.

24 ~~((4))~~ (5) In addition to subsection ~~((2))~~ (3)(a) through (d)
25 of this section, a special election to validate an excess levy or
26 bond issue may be called at any time to meet the needs resulting from
27 fire, flood, earthquake, or other act of God, except that no special
28 election may be held between the first day for candidates to file for
29 public office and the last day to certify the returns of the general
30 election other than as provided in subsection ~~((2))~~ (3)(c) and (d)
31 of this section. Such special election shall be conducted and notice
32 thereof given in the manner provided by law.

33 ~~((5))~~ (6) This section shall supersede the provisions of any
34 and all other statutes, whether general or special in nature, having
35 different dates for such city, town, and district elections, the
36 purpose of this section being to establish mandatory dates for
37 holding elections.

38 NEW SECTION. Sec. 102. (1) The changes made to the term lengths
39 for certain elected officials under this act do not apply to the

1 elected officials who serve in that position on the effective date of
2 this act. An elected official serving on the effective date of this
3 act shall continue to serve the term length for which the official
4 was elected, subject to subsection (2) of this section.

5 (2) Whenever, as a result of the application of the portion of
6 this act that moves certain district general elections to November of
7 even-numbered years, the term of an elected official expires before
8 the official can be reelected or replaced in the next general
9 election, the elected official shall continue to serve until a
10 successor is elected and qualified and assumes office in accordance
11 with RCW 29A.60.280.

12 **Sec. 103.** RCW 85.38.010 and 1991 c 349 s 1 are each amended to
13 read as follows:

14 Unless the context clearly requires otherwise, the definitions in
15 this section apply throughout this chapter:

16 (1) "Governing body" means the board of commissioners, board of
17 supervisors, or board of directors of a special district.

18 (2) "Owner of land" means the record owner of at least a majority
19 ownership interest in a separate and legally created lot or parcel of
20 land, as determined by the records of the county auditor, except that
21 if the lot or parcel has been sold under a real estate contract, the
22 vendee or grantee shall be deemed to be the owner of such land for
23 purposes of authorizing voting rights. It is assumed, unless shown
24 otherwise, that the name appearing as the owner of property on the
25 property tax rolls is the current owner.

26 (3) "Qualified voter of a special district" means a natural
27 person who is (~~(either: (a) A natural person who is~~) a registered
28 voter under general state election laws (~~(, registered to vote in the~~
29 ~~state of Washington for a period of not less than thirty days before~~
30 ~~the election, and the owner of land located in the special district~~
31 ~~for a period of not less than thirty days before the election; (b) a~~
32 ~~corporation or partnership that has owned land located in the special~~
33 ~~district for a period of not less than sixty days before the~~
34 ~~election; or (c) the state, its agencies or political subdivisions~~
35 ~~that own land in the special district or lands proposed to be annexed~~
36 ~~into the special district except that the state, its agencies and~~
37 ~~political subdivisions shall not be eligible to vote to elect a~~
38 ~~member of the governing board of a special district)) and who resides
39 within the special district or proposed special district.~~

1 (4) "Special district" means: (a) A diking district; (b) a
2 drainage district; (c) a diking, drainage, and/or sewerage
3 improvement district; (d) an intercounty diking and drainage
4 district; (e) a consolidated diking district, drainage district,
5 diking improvement district, and/or drainage improvement district; or
6 (f) a flood control district.

7 (5) "Special district general election" means the election of a
8 special district regularly held (~~on the first Tuesday after the~~
9 ~~first Monday in February in each even-numbered year at which a member~~
10 ~~of the special district governing body is regularly elected~~) as
11 provided in RCW 29A.04.321.

12 PART II

13 DIKING AND DRAINAGE DISTRICTS

14 **Sec. 201.** RCW 85.05.065 and 1985 c 396 s 31 are each amended to
15 read as follows:

16 Diking districts shall possess the authority and shall be created
17 as provided in chapter 85.38 RCW, (~~district voting rights shall be~~
18 ~~determined,~~) and district elections shall be held as provided in
19 chapter 85.38 RCW and Title 29A RCW.

20 **Sec. 202.** RCW 85.05.085 and 1985 c 396 s 37 are each amended to
21 read as follows:

22 The board of dike commissioners shall consist of three elected
23 commissioners. The initial commissioners shall be appointed, and the
24 elected commissioners elected, as provided in chapter 85.38 RCW and
25 Title 29A RCW. The board of dike commissioners shall have the
26 exclusive charge of the construction and maintenance of all dikes or
27 dike systems which may be constructed within the district, and shall
28 be the executive officers thereof, with full power to bind the
29 district by their acts in the performance of their duties, as
30 provided by law.

31 **Sec. 203.** RCW 85.06.015 and 1985 c 396 s 32 are each amended to
32 read as follows:

33 Drainage districts shall possess the authority and shall be
34 created as provided in chapter 85.38 RCW, (~~district voting rights~~
35 ~~shall be determined,~~) and district elections shall be held as
36 provided in chapter 85.38 RCW and Title 29A RCW.

1 **Sec. 204.** RCW 85.08.015 and 1985 c 396 s 33 are each amended to
2 read as follows:

3 Diking, drainage, or sewerage improvement districts shall possess
4 the authority and shall be created as provided in chapter 85.38 RCW,
5 ~~((district voting rights shall be determined,))~~ and district
6 elections shall be held as provided in chapter 85.38 RCW and Title
7 29A RCW.

8 **Sec. 205.** RCW 85.08.025 and 1991 c 349 s 3 are each amended to
9 read as follows:

10 Each qualified voter of a diking improvement or drainage
11 improvement district ~~((who owns more than ten acres of land within~~
12 ~~the district shall be entitled to two additional votes for each ten~~
13 ~~acres or major fraction thereof located within the district, up to a~~
14 ~~maximum total of forty votes for any voter, or in the case of~~
15 ~~community property, a maximum total of twenty votes per member of the~~
16 ~~marital community: PROVIDED, That this additional voting provision~~
17 ~~shall only apply in districts that were not in operation and did not~~
18 ~~have improvements as of May 14, 1925)) is entitled to one vote. For~~

19 purposes of this section, "qualified voter" is defined in RCW
20 85.38.010.

21 **Sec. 206.** RCW 85.08.300 and 1985 c 396 s 45 are each amended to
22 read as follows:

23 The board of supervisors of the district shall consist of three
24 elected supervisors. The initial supervisors shall be appointed, and
25 the first elected supervisor elected, as provided in chapter 85.38
26 RCW and Title 29A RCW. The board of supervisors shall have charge of
27 the construction and maintenance of the systems of improvements,
28 subject to the limitations hereinafter set forth, and may employ a
29 superintendent of construction and maintenance who may be one of the
30 two elected supervisors. The supervisors may be employed upon the
31 construction or maintenance, receiving the same compensation as other
32 labor of like character.

33 When a district contains not more than five hundred acres, ~~((or~~
34 ~~when a petition is presented to the county legislative authority~~
35 ~~signed by the owners of fifty percent of the acreage of the district~~
36 ~~praying for such action,)) the county engineer shall act as the sole
37 supervisor of the district; and in such case the allowance of all~~

1 claims against the district shall be by the county legislative
2 authority.

3 **Sec. 207.** RCW 85.08.305 and 1985 c 396 s 23 are each amended to
4 read as follows:

5 (~~The county engineer shall continue to act as a supervisor of a~~
6 ~~diking, drainage, or sewerage improvement district that is governed~~
7 ~~by a three-member board of supervisors until a replacement assumes~~
8 ~~office after being elected at the 1987 special district general~~
9 ~~election. At that election two supervisors shall be elected, with the~~
10 ~~person receiving the greatest number of votes being elected to a six-~~
11 ~~year term, and the person receiving the second greatest number of~~
12 ~~votes being elected to a four-year term. Thereafter, all)) All
13 supervisors shall be elected to (~~six-year~~) four-year terms.~~

14 **Sec. 208.** RCW 85.08.850 and 2001 c 149 s 2 are each amended to
15 read as follows:

16 The petition requesting the merger shall be signed by the board
17 of supervisors of, or by ten (~~landowners~~) qualified voters located
18 within, the drainage improvement district, joint drainage improvement
19 district, or consolidated drainage improvement district and presented
20 to the clerk or clerks of the appropriate county legislative
21 authority or authorities, at a regular or special meeting.

22 **Sec. 209.** RCW 85.08.860 and 1957 c 94 s 5 are each amended to
23 read as follows:

24 If it appears to the board or boards of county commissioners that
25 all portions of the drainage improvement district, joint drainage
26 improvement district, or consolidated drainage improvement district
27 will, as a result of the proceedings, be merged with the irrigation
28 district or irrigation districts and that the board or boards of
29 directors of the irrigation district or irrigation districts into
30 which the drainage improvement, joint drainage improvement district,
31 or consolidated drainage improvement district will be merged, which
32 irrigation district or irrigation districts shall be named in the
33 petition, are agreeable to the merger, and that the assent or assents
34 thereto, in writing, by said irrigation district board or boards have
35 been filed with the board or boards of county commissioners, the
36 board or boards of county commissioners shall (~~order an~~) request a
37 special election to be held, consistent with RCW 29A.04.330, in the

1 drainage improvement district, joint drainage improvement district,
2 or consolidated drainage improvement district to approve or
3 disapprove the merger (~~and shall fix the time thereof and cause~~
4 ~~notice to be published~~).

5 **Sec. 210.** RCW 85.08.870 and 1957 c 94 s 6 are each amended to
6 read as follows:

7 The notice shall be given and the election conducted in the
8 manner, so far as is applicable, as for the election of members of
9 the board of supervisors of a drainage improvement district, in
10 accordance with chapter 85.38 RCW and Title 29A RCW. The notice shall
11 advise of the election so ordered and the date, time and place
12 thereof, state the filing of the petition, the names of those signing
13 the petition and prayer thereof, and shall require the voters to cast
14 ballots with the words "Merger, Yes" or "Merger, No."

15 **Sec. 211.** RCW 85.20.030 and 1985 c 396 s 48 are each amended to
16 read as follows:

17 Whenever a petition is presented as provided in RCW 85.20.020,
18 the county legislative authority shall (~~order an~~) request a special
19 election to be held, consistent with RCW 29A.04.330, to determine if
20 the district shall be reorganized. (~~The county legislative authority~~
21 ~~shall specify the election date which may or may not be at the normal~~
22 ~~special district general election.~~) Notice of the election shall be
23 posted and published, and the election shall be conducted (~~as for~~)
24 in the same manner as any special district election conducted under
25 chapter 85.38 RCW and Title 29A RCW. The notice shall state the
26 number of the district so petitioning to reorganize (~~the place~~
27 ~~where~~) and the time when the election is to be held. (~~The auditor~~
28 ~~shall certify the results of the election to the county legislative~~
29 ~~authority.~~) If the proposition to reorganize the district is
30 approved by a simple majority vote of the voters voting on the
31 proposition, the district shall be reorganized as either a diking
32 improvement district or drainage improvement district upon the county
33 legislative authority ordering the reorganization. The district shall
34 be liable to the county for its costs incurred for the election.

35 **Sec. 212.** RCW 85.22.030 and 1985 c 396 s 50 are each amended to
36 read as follows:

1 Whenever a petition is presented as provided in RCW 85.22.020,
2 the county legislative authority shall ~~((order an))~~ request a special
3 election to be held, consistent with RCW 29A.04.330, to determine if
4 the district shall be reorganized. ~~((The county legislative authority~~
5 ~~shall specify the election date which may or may not be the same as~~
6 ~~the regular special district general election.))~~ Notice of the
7 election shall be posted and published, and the election shall be
8 conducted~~((, as for))~~ in the same manner as any special district
9 election conducted under chapter 85.38 RCW and Title 29A RCW. The
10 notice shall state the number of the district so petitioning to
11 reorganize~~((, the place where))~~ and the time when the election is to
12 be held. ~~((The auditor shall certify the results of the election to~~
13 ~~the county legislative authority.))~~ If the proposition to reorganize
14 the district is approved by a simple majority vote of the voters
15 voting on the proposition, the district shall be reorganized as
16 either a diking improvement district or drainage improvement district
17 upon the county legislative authority ordering the reorganization.
18 The district shall be liable to the county for its costs incurred for
19 the election.

20 **Sec. 213.** RCW 85.24.015 and 1985 c 396 s 34 are each amended to
21 read as follows:

22 Intercounty diking and drainage districts shall possess the
23 authority and shall be created as provided in chapter 85.38 RCW,
24 ~~((district voting rights shall be determined,))~~ and district
25 elections shall be held as provided in chapter 85.38 RCW and Title
26 29A RCW.

27 **Sec. 214.** RCW 85.32.150 and 1961 c 131 s 16 are each amended to
28 read as follows:

29 Whenever lands, or lands with improvements thereon, lying outside
30 of the existing territorial limits of such district are ultimately
31 placed upon the assessment roll of such district in the manner
32 provided by this chapter so that such lands are subject to
33 maintenance benefits as provided, ~~((the owner of))~~ a qualified voter
34 who resides on such land shall be deemed to be an elector within such
35 district, and shall have the same right to participate in all
36 district affairs and to vote upon all matters submitted to the
37 electors of said district, including that of electing or becoming
38 commissioners for the district, all in the manner provided for voting

1 and elections under existing law pertaining to drainage districts.
2 (~~If such owner is a corporation, one of its duly constituted~~
3 ~~officers shall be deemed to have the right as an elector to vote on~~
4 ~~behalf of such corporation.~~)

5 **Sec. 215.** RCW 85.38.050 and 1991 c 349 s 9 are each amended to
6 read as follows:

7 The county legislative authority or authorities shall conduct the
8 public hearing at the date, time, and place indicated in the notice.
9 Public hearings may be continued to other dates, times, and places
10 specified by the county legislative authority or authorities before
11 the adjournment of the public hearing. Each county legislative
12 authority may alter those portions of boundaries of the proposed
13 special district that are located within the county, but if territory
14 is added that was not described in the original proposed boundaries,
15 an additional hearing on the proposal shall be held with notice being
16 published as provided in RCW 85.38.040.

17 After receiving the public testimony, the county legislative
18 authority may (~~cause an~~) request a special election to be held,
19 consistent with RCW 29A.04.330, to authorize the creation of a
20 special district if it finds:

21 (1) That creation of the special district will be conducive to
22 the public health, convenience and welfare;

23 (2) That the creation of the special district will be of special
24 benefit to a majority of the lands included within the special
25 district; and

26 (3) That the proposed improvements are feasible and economical,
27 and that the benefits of these improvements exceed costs for the
28 improvements.

29 If the proposed special district is located within two or more
30 counties, the county legislative authorities may (~~cause an~~) request
31 a special election to be held to authorize the creation of the
32 special district upon making the findings set forth in subsections
33 (1) through (3) of this section.

34 The county legislative authority or authorities may also choose
35 not to (~~allow~~) request such an election to be held, consistent with
36 RCW 29A.04.330, by either failing to act or finding that one or more
37 of these factors are not met.

1 **Sec. 216.** RCW 85.38.060 and 2015 c 53 s 100 are each amended to
2 read as follows:

3 (~~The county legislative authority or authorities shall cause an~~
4 ~~election on the question of creating the special district to be held~~
5 ~~if findings as provided in RCW 85.38.050 are made. The county~~
6 ~~legislative authority or authorities shall designate a time and date~~
7 ~~for such election, which shall be one of the special election dates~~
8 ~~provided for in RCW 29A.04.330, together with the site or sites at~~
9 ~~which votes may be cast.)) The persons allowed to vote on the
10 creation of a special district shall be those persons who, if the
11 special district were created, would be qualified voters of the
12 special district as described in RCW 85.38.010. The county auditor or
13 auditors of the counties within which the proposed special district
14 is located shall conduct the election (~~and prepare a list of~~
15 ~~presumed eligible voters~~) in accordance with Title 29A RCW.~~

16 (~~Notices for the election shall be published as provided in RCW~~
17 ~~85.38.040.)) The special district shall be created if the proposition
18 to create the special district is approved by a simple majority vote
19 of the voters voting on the proposition and the special district may
20 assume operations whenever the initial members of the governing body
21 are appointed as provided in RCW 85.38.070.~~

22 Any special district created after July 28, 1985, may only have
23 special assessments measured and imposed, and budgets adopted, as
24 provided in RCW 85.38.140 through 85.38.170.

25 If the special district is created, the county or counties may
26 charge the special district for the costs incurred by the county
27 engineer or engineers pursuant to RCW 85.38.030 and the costs of the
28 auditor or auditors related to the election to authorize the creation
29 of the special district pursuant to this section. Such county actions
30 shall be deemed to be special benefits of the property located within
31 the special district that are paid through the imposition of special
32 assessments.

33 **Sec. 217.** RCW 85.38.070 and 2015 c 53 s 101 are each amended to
34 read as follows:

35 (1) Except as provided in RCW 85.38.090, each special district
36 shall be governed by a three-member governing body. The term of
37 office for each member of a special district governing body shall be
38 (~~six~~) four years and until his or her successor is elected and
39 qualified. One member of the governing body shall be elected at the

1 time of special district general elections in each even-numbered year
2 for a term of (~~six~~) four years beginning as soon as the election
3 returns have been certified for assumption of office by elected
4 officials of cities.

5 (2) (~~The terms of office of members of the governing bodies of~~
6 ~~special districts, who are holding office on July 28, 1985, shall be~~
7 ~~altered to provide staggered six-year terms as provided in this~~
8 ~~subsection. The member who on July 28, 1985, has the longest term~~
9 ~~remaining shall have his or her term altered so that the position~~
10 ~~will be filled at the February 1992, special district general~~
11 ~~election; the member with the second longest term remaining shall~~
12 ~~have his or her term altered so that the position will be filled at~~
13 ~~the December, 1989, special district general election; and the member~~
14 ~~with the third longest term of office shall have his or her term~~
15 ~~altered so that the position will be filled at the December, 1987,~~
16 ~~special district general election.~~

17 (~~3~~)) The initial members of the governing body of a newly
18 created special district shall be appointed by the legislative
19 authority of the county within which the special district, or the
20 largest portion of the special district, is located. These initial
21 governing body members shall serve until their successors are elected
22 and qualified at the next special district general election held at
23 least ninety days after the special district is established. At that
24 election the first elected members of the governing body shall be
25 elected. No primary elections may be held for the initial election.
26 Any qualified voter of a special district may become a candidate for
27 such a position by (~~filing written notice of this intention with the~~
28 ~~county auditor at least thirty, but not more than sixty, days before~~
29 ~~a special district general election. The county auditor in~~
30 ~~consultation with the special district shall establish the filing~~
31 ~~period~~)) filing a declaration of candidacy as provided in chapter
32 29A.24 RCW. The names of all candidates for such positions shall be
33 listed alphabetically. At this first election, the candidate
34 receiving the greatest number of votes shall have a (~~six-year~~)
35 four-year term, the candidate receiving the second greatest number of
36 votes shall have a four-year term, and the candidate receiving the
37 third greatest number of votes shall have a two-year term of office.
38 The initially elected members of a governing body shall take office
39 immediately when qualified as defined in RCW 29A.04.133(~~. Thereafter~~
40 ~~the candidate receiving the greatest number of votes shall be elected~~

1 ~~for a six-year term of office. Members of a governing body)) and~~
2 shall hold their office until their successors are elected and
3 qualified, and assume office as soon as the election returns have
4 been certified.

5 ~~((4))~~ (3) ~~The ((requirements for the filing period and method~~
6 ~~for filing declarations of candidacy for the governing body of the~~
7 ~~district and the arrangement of candidate names on the ballot))~~
8 procedures for all special district elections conducted after the
9 initial election in the district ~~((shall be the same as the~~
10 ~~requirements for the initial election in the district))~~ must comply
11 with this chapter and Title 29A RCW, and a primary election must be
12 held. ~~((No primary elections may be held for the governing body of a~~
13 ~~special district))~~ Members of the governing body shall be elected for
14 a four-year term of office and shall hold their office until their
15 successors are elected and qualified, and assume office as soon as
16 the election returns have been certified.

17 ~~((5))~~ (4) Whenever a vacancy occurs in the governing body of a
18 special district, the legislative authority of the county within
19 which the special district, or the largest portion of the special
20 district, is located, shall appoint a district voter to serve until a
21 person is elected, at the next special district general election
22 occurring sixty or more days after the vacancy has occurred, to serve
23 the remainder of the unexpired term. The person so elected shall take
24 office immediately when qualified as defined in RCW 29A.04.133.

25 If an election for the position which became vacant would
26 otherwise have been held at this special district election, only one
27 election shall be held and the person elected to fill the succeeding
28 term for that position shall take office immediately when qualified
29 as defined in RCW 29A.04.133 and shall serve both the remainder of
30 the unexpired term and the succeeding term. A vacancy occurs upon the
31 death, resignation, or incapacity of a governing body member or
32 whenever the governing body member ceases being a qualified voter of
33 the special district.

34 ~~((6))~~ (5) An elected or appointed member of a special district
35 governing body, or a candidate for a special district governing body,
36 must be a qualified voter of the special district ~~((: PROVIDED, That~~
37 ~~the state, its agencies and political subdivisions, or their~~
38 ~~designees under RCW 85.38.010(3) shall not be eligible for election~~
39 ~~or appointment))~~.

1 **Sec. 218.** RCW 85.38.090 and 2010 c 131 s 1 are each amended to
2 read as follows:

3 (1) Whenever the governing body of a special district has more
4 than three members, the governing body shall be reduced to three
5 members as of January 1, 1986, by eliminating the positions of those
6 district governing body members with the shortest remaining terms of
7 office. The remaining three governing body members shall have
8 staggered terms with the one having the shortest remaining term
9 having his or her position filled at the 1987 special district
10 general election, the one with the next shortest remaining term
11 having his or her position filled at the 1989 special district
12 general election, and the one with the longest remaining term having
13 his or her position filled at the 1992 special district general
14 election. If any of these remaining three governing body members have
15 identical remaining terms of office, the newly calculated remaining
16 terms of these persons shall be determined by lot with the county
17 auditor who assists the special district in its elections managing
18 such lot procedure. The newly established terms shall be recorded by
19 the county auditor.

20 (2) However, whenever five or more special districts have
21 consolidated under chapter 85.36 RCW and the consolidated district
22 has five members in its governing body on July 28, 1985, the
23 consolidated district may adopt a resolution retaining a five-member
24 governing body. At any time thereafter, such a district may adopt a
25 resolution and reduce the size of the governing body to three members
26 with the reduction occurring as provided in subsection (1) of this
27 section, but the years of the effective dates shall be extended so
28 that the reduction occurs at the next January 1st occurring after the
29 date of the adoption of the resolution. Whenever a special district
30 is so governed by a five-member governing body, two members shall be
31 elected at each of two consecutive special district general
32 elections, and one member shall be elected at the following special
33 district general election, each to serve a (~~six-year~~) four-year
34 staggered term.

35 (3) Nothing in this section permits the governing body of a flood
36 control district that is subject to RCW 85.38.290 to reduce the size
37 of its governing body.

38 **Sec. 219.** RCW 85.38.100 and 1991 c 349 s 5 are each amended to
39 read as follows:

1 General and special elections shall be held in each special
2 district on the (~~first Tuesday after the first Monday in February in~~
3 ~~each even-numbered year. The auditor of the county within which a~~
4 ~~special district, or the largest portion of a special district, is~~
5 ~~located may provide for special elections whenever necessary~~) dates
6 provided in RCW 29A.04.330.

7 **Sec. 220.** RCW 85.38.105 and 2009 c 144 s 1 are each amended to
8 read as follows:

9 (~~(1) The owner of land located in a special district who is a~~
10 ~~qualified voter of the special district shall receive two votes at~~
11 ~~any election. This section does not apply to special flood control~~
12 ~~districts consisting of three or more counties.~~

13 ~~(2) If multiple undivided interests, other than community~~
14 ~~property interests, exist in a lot or parcel and no person owns a~~
15 ~~majority undivided interest, the owners of undivided interests at~~
16 ~~least equal to a majority interest may designate in writing:~~

17 ~~(a) Which owner is eligible to vote and may cast two votes; or~~

18 ~~(b) Which two owners are eligible to vote and may cast one vote~~
19 ~~each.~~

20 ~~(3) If land is owned as community property, each spouse is~~
21 ~~entitled to one vote if both spouses otherwise qualify to vote,~~
22 ~~unless one spouse designates in writing that the other spouse may~~
23 ~~cast both votes.~~

24 ~~(4) A corporation, partnership, or governmental entity shall~~
25 ~~designate:~~

26 ~~(a) A natural person to cast its two votes; or~~

27 ~~(b) Two natural persons to each cast one of its votes.~~

28 ~~(5) Except as provided in RCW 85.08.025 and 86.09.377, no owner~~
29 ~~of land may cast more than two votes or have more than two votes cast~~
30 ~~for him or her in a special district election.)~~ Each qualified voter
31 may cast one vote for each office or ballot question in each
32 election.

33 **Sec. 221.** RCW 85.38.115 and 1991 c 349 s 6 are each amended to
34 read as follows:

35 No election shall be held to elect a member of a special district
36 governing body, or to fill the remainder of an unexpired term which
37 arose from a vacancy on the governing body, if no one (~~or only one~~
38 ~~person~~) files for the position.

FLOOD CONTROL DISTRICTS

Sec. 301. RCW 86.09.020 and 1985 c 396 s 36 are each amended to read as follows:

Flood control districts shall possess the authority and shall be created as provided in chapter 85.38 RCW, (~~district voting rights shall be determined,~~) and district elections shall be held as provided in chapter 85.38 RCW and Title 29A RCW.

Sec. 302. RCW 86.09.172 and 1937 c 72 s 58 are each amended to read as follows:

No contract, however, requiring the levy of assessments for more than one year shall be entered into by the district (~~as above provided~~) under RCW 86.09.163 through 86.09.169 unless a proposition of entering into such a contract shall have first been submitted to the electors of the district (~~as herein provided for the calling, noticing, conducting and canvassing of special district elections~~) in a general or special election, and by said electors approved.

Sec. 303. RCW 86.09.259 and 2013 c 23 s 448 are each amended to read as follows:

A flood control district shall be managed by a board of directors consisting of three members. The initial directors shall be appointed, and the elected directors elected, as provided in chapter 85.38 RCW and Title 29A RCW. The directors shall elect a chair from their number and shall either elect one of their number, or appoint a voter of the district, as secretary to hold office at its pleasure and who shall keep a record of its proceedings.

Sec. 304. RCW 86.09.601 and 1937 c 72 s 201 are each amended to read as follows:

For the purpose of authorizing such utility bonds, an election shall be (~~called, noticed, held and canvassed by the same officers, and in the same manner, as provided herein for the calling, noticing, holding and canvassing of~~) conducted in the same manner as an election to authorize general obligation bonds.

Sec. 305. RCW 86.09.622 and 1985 c 396 s 83 are each amended to read as follows:

1 Flood control districts may be dissolved upon a favorable sixty
2 percent vote of the electors voting at ~~((an))~~ a general election
3 ~~((for that purpose called, noticed, conducted and canvassed in the~~
4 ~~manner provided in this chapter for special elections))~~ or a special
5 election called pursuant to RCW 29A.04.330 and no further district
6 obligations shall thereafter be incurred: PROVIDED, That the election
7 shall not abridge or cancel any of the outstanding obligations of the
8 district, and the county legislative authority of the county within
9 which the major portion of the district is situated shall each year
10 at the time and in the manner provided in this chapter for the levy
11 of district assessments, levy assessments against the lands in the
12 district and the same shall be collected and enforced in the manner
13 provided herein, until the outstanding obligations of the district
14 are fully paid.

15 **Sec. 306.** RCW 86.15.050 and 2015 c 53 s 102 are each amended to
16 read as follows:

17 (1) The board of county commissioners of each county shall be ex
18 officio, by virtue of their office, supervisors of the zones created
19 in each county. In any zone with more than two thousand residents, an
20 election of supervisors other than the board of county commissioners
21 may be held as provided in this section.

22 (2) When proposed by citizen petition or by resolution of the
23 board of county commissioners, a ballot proposition authorizing
24 election of the supervisors of a zone shall be submitted by ordinance
25 to the voters residing in the zone at any general election, or at any
26 special election which may be called for that purpose, consistent
27 with RCW 29A.04.330.

28 (3) The ballot proposition shall be submitted (a) if the board of
29 county supervisors enacts an ordinance submitting the proposition
30 after adopting a resolution proposing the election of supervisors of
31 a zone; or (b) if a petition proposing the election of supervisors of
32 a zone is submitted to the county auditor of the county in which the
33 zone is located that is signed by registered voters within the zone,
34 numbering at least fifteen percent of the votes cast in the last
35 county general election by registered voters within the zone.

36 (4) Upon receipt of a citizen petition under subsection (3)(b) of
37 this section, the county auditor shall determine whether the petition
38 is signed by a sufficient number of registered voters, using the
39 registration records and returns of the preceding general election,

1 and, no later than forty-five days after receipt of the petition,
2 shall attach to the petition the auditor's certificate stating
3 whether or not sufficient signatures have been obtained. If the
4 signatures are found by the auditor to be insufficient, the petition
5 shall be returned to the person filing it.

6 (5) The ballot proposition authorizing election of supervisors of
7 zones shall appear on the ballot of the next general election or at
8 the next special election date specified under RCW 29A.04.330
9 occurring sixty or more days after the last resolution proposing
10 election of supervisors or the date the county auditor certifies that
11 the petition proposing such election contains sufficient valid
12 signatures.

13 (6) The petition proposing the election of zone supervisors, or
14 the ordinance submitting the question to the voters, shall describe
15 the proposed election process. The ballot proposition shall include
16 the following:

17 "For the direct election of flood control zone district
18 supervisors."

19 "Against the direct election of flood control zone district
20 supervisors."

21 (7) The ordinance or petition submitting the ballot proposition
22 shall designate the proposed composition of the supervisors of zones,
23 which shall be clearly described in the ballot proposition. The
24 ballot proposition shall state that the zone supervisors shall
25 thereafter be selected by election, and, at the same election at
26 which the proposition is submitted to the voters as to whether to
27 elect zone supervisors, three zone supervisors shall be elected. The
28 election of zone supervisors is null and void if the voters, by a
29 simple majority, do not approve the direct election of the zone
30 supervisors. Candidates shall run for specific supervisor positions.
31 No primary may be held to nominate candidates for the initial
32 election. The person receiving the greatest number of votes for each
33 position shall be elected as a supervisor. The staggering of the
34 terms of office shall occur as follows: (a) The person who is elected
35 receiving the greatest number of votes shall be elected to a ((~~six-~~
36 ~~year~~)) four-year term of office ((~~if the election is held in an odd-~~
37 ~~numbered year or a five-year term of office if the election is held~~
38 ~~in an even-numbered year~~)); (b) the person who is elected receiving
39 the second greatest number of votes shall be elected to a four-year

1 term of office (~~if the election is held in an odd-numbered year or a~~
2 ~~three-year term of office if the election is held in an even-numbered~~
3 ~~year~~); and (c) the other person who is elected shall be elected to a
4 two-year term of office (~~if the election is held in an odd-numbered~~
5 ~~year or a one-year term of office if the election is held in an even-~~
6 ~~numbered year~~). The initial supervisors shall take office
7 immediately when they are elected and qualified, and for purposes of
8 computing their terms of office the terms shall be assumed to
9 commence on the first day of January in the year after they are
10 elected. Thereafter, all supervisors shall be elected to (~~six-year~~)
11 four-year terms of office, and primary elections shall be held. All
12 supervisors shall serve until their respective successors are elected
13 and qualified and assume office in accordance with RCW 29A.60.280.
14 Vacancies may occur and shall be filled as provided in chapter 42.12
15 RCW.

16 (8) The costs and expenses directly related to the election of
17 zone supervisors shall be borne by the zone.

18 **Sec. 307.** RCW 85.38.127 and 2009 c 144 s 2 are each amended to
19 read as follows:

20 All registered voters who reside within a special flood control
21 district consisting of three or more counties are qualified voters in
22 special flood control district elections.

23 **Sec. 308.** RCW 85.38.290 and 2010 c 131 s 2 are each amended to
24 read as follows:

25 The following provisions apply to the governing bodies of flood
26 control districts that, upon creation, have territory in three or
27 more counties:

28 (1) The governing body shall include one member from each county
29 with territory in the district, and two additional members selected
30 as provided by this section. No more than two governing members may
31 be from the same county.

32 (2) The initial members of the governing body must be chosen by
33 each county legislative authority within which the district resides,
34 with each county choosing one member, and the two counties with the
35 largest populations within the district choosing one additional
36 member each. The initial governing body members shall serve until
37 their successors are elected and qualified at the next special

1 district general election. No primary election may be held for the
2 initial election.

3 (3) At this first election, the members receiving the two
4 greatest number of votes shall serve (~~(six-year)~~) four-year terms,
5 (~~(the members receiving the third and fourth greatest number of votes~~
6 ~~shall serve four-year terms,)~~) and the remaining members shall serve
7 two-year terms of office.

8 (4) The (~~(requirements for the filing period, method for filing~~
9 ~~declarations of candidacy, and the arrangement of candidate names on~~
10 ~~the ballot)~~) procedures for all special district general elections
11 conducted after the initial election in the district shall be the
12 same as the requirements for the initial election in the district, in
13 accordance with this chapter and Title 29A RCW, and a primary
14 election shall be held. (~~(No primary elections may be held for the~~
15 ~~governing body of a flood control district that, upon creation, has~~
16 ~~territory in three or more counties.)~~)

17 (5) A vacancy occurs upon the death, resignation, or incapacity
18 of a governing body member, or whenever the governing body member
19 ceases to be a registered voter of the district.

20 (6) (a) Whenever a vacancy occurs in the governing body, the
21 legislative authority of the county within which the largest
22 geographic portion of the district is located shall appoint a
23 registered voter to serve until a person is elected, at the next
24 special district general election occurring sixty or more days after
25 the vacancy has occurred, to serve the remainder of the unexpired
26 term. The person so elected shall take office immediately when
27 qualified as defined in RCW 29A.04.133.

28 (b) If an election for the position that became vacant would
29 otherwise have been held at this special district general election,
30 only one election shall be held and the person elected to fill the
31 succeeding term for that position shall take office immediately when
32 qualified as defined in RCW 29A.04.133 and shall serve both the
33 remainder of the unexpired term and the succeeding term.

34 (7) An elected or appointed member of the governing body, or a
35 candidate for the governing body, must be a registered voter of the
36 flood control district who has resided within the district for
37 (~~{a}~~) a period of not less than thirty days before the election.
38 (~~(In accordance with RCW 85.38.127, land ownership is not a~~
39 ~~requirement for serving on the governing body of the district.)~~)

PART IV
IRRIGATION DISTRICTS

1
2
3 **Sec. 401.** RCW 87.03.005 and 1923 c 138 s 1 are each amended to
4 read as follows:

5 Whenever fifty or a majority of the (~~holders of title to, or of~~
6 ~~evidence of title to~~) qualified voters who reside on land
7 susceptible of "irrigation" desire to organize an irrigation district
8 for any or all of the purposes mentioned in RCW 87.03.010 and
9 87.03.015, they may propose the organization of an irrigation
10 district in the manner provided herein; and when so organized, such
11 district shall have all the powers that may now or hereafter be
12 conferred by law.

13 **Sec. 402.** RCW 87.03.020 and 2007 c 218 s 79 are each amended to
14 read as follows:

15 For the purpose of organizing an irrigation district, a petition,
16 signed by the required number of (~~holders of title or evidence of~~
17 ~~title to land~~) qualified voters who reside within the proposed
18 district, shall be presented to the board of county commissioners of
19 the county in which the lands, or the greater portion thereof, are
20 situated, which petition shall contain the following:

21 (1) A description of the lands to be included in the operation of
22 the district, in legal subdivisions or fractions thereof, and the
23 name of the county or counties in which said lands are situated.

24 (2) The signature and post office address of each petitioner,
25 together with the legal description of the particular lands within
26 the proposed district owned by said respective petitioners.

27 (3) A general statement of the probable source or sources of
28 water supply and a brief outline of the plan of improvement, which
29 may be in the alternative, contemplated by the organization of the
30 district.

31 (4) A statement of the number of directors, either three or five,
32 desired for the administration of the district and of the name by
33 which the petitioners desire the district to be designated.

34 (5) Any other matter deemed material.

35 (6) A prayer requesting the board to take the steps necessary to
36 organize the district.

37 The petition must be accompanied by a good and sufficient bond,
38 to be approved by the board of county commissioners, in double the

1 amount of the probable cost of organizing the district, and
2 conditioned that the bondspersons will pay all of the cost in case
3 such organization shall not be effected. Said petition shall be
4 presented at a regular meeting of the said board, or at any special
5 meeting ordered to consider and act upon said petition, and shall be
6 published once a week, for at least two weeks (three issues) before
7 the time at which the same is to be presented, in some newspaper of
8 general circulation printed and published in the county where said
9 petition is to be presented, together with a notice signed by the
10 clerk of the board of county commissioners stating the time of the
11 meeting at which the same will be presented. There shall also be
12 published a notice of the hearing on said petition in a newspaper
13 published at Olympia, Washington, to be designated by the director of
14 ecology from year to year, which said notice shall be published for
15 at least two weeks (three issues) prior to the date of said meeting
16 and shall contain the name of the county or counties and the number
17 of each township and range in which the lands embraced within the
18 boundaries of the proposed district are situated, also the time,
19 place and purpose for said meeting, which said notice shall be signed
20 by the petitioner whose name first appears upon the said petition. If
21 any portion of the lands within said proposed district lie within
22 another county or counties, then the said petition and notice shall
23 be published for the time above provided in one newspaper printed and
24 published in each of said counties. The said notice, together with a
25 map of the district, shall also be served by registered mail at least
26 thirty days before the said hearing upon the state director of
27 ecology at Olympia, Washington, who shall, at the expense of the
28 district in case it is later organized, otherwise at the expense of
29 the petitioners' bondspersons, make such investigation of the
30 sufficiency of the source and supply of water for the purposes of the
31 proposed district, as he or she may deem necessary, and file a report
32 of his or her findings, together with a statement of his or her
33 costs, with the board of county commissioners at or prior to the time
34 set for said hearing. When the petition is presented, the board of
35 county commissioners shall hear the same, shall receive such evidence
36 as it may deem material, and may adjourn such hearing from time to
37 time, not exceeding four weeks in all, and on the final hearing shall
38 establish and define the boundaries of the district along such lines
39 as in the judgment of the board will best reclaim the lands involved
40 and enter an order to that effect: PROVIDED, That said board shall

1 not modify the boundaries so as to except from the operation of the
2 district any territory within the boundaries outlined in the
3 petition, which is susceptible of irrigation by the same system of
4 works applicable to other lands in such proposed district and for
5 which a water supply is available; nor shall any lands which, in the
6 judgment of said board, will not be benefited, be included within
7 such district; any lands included within any district, which have a
8 partial or full water right shall be given equitable credit therefor
9 in the apportionment of the assessments in this act provided for: AND
10 PROVIDED FURTHER, That any owner, whose lands are susceptible of
11 irrigation from the same source, and in the judgment of the board it
12 is practicable to irrigate the same by the proposed district system,
13 shall, upon application to the board at the time of the hearing, be
14 entitled to have such lands included in the district.

15 At said hearing the board shall also give the district a name and
16 shall ~~((order))~~ request that ~~((an))~~ a special election be held
17 ~~((therein))~~, consistent with RCW 29A.04.330, for the purpose of
18 determining whether or not the district shall be organized under the
19 provisions of this act and for the purpose of electing directors.

20 The clerk of the board of county commissioners shall then give
21 notice of the election ordered to be held as aforesaid, which notice
22 shall describe the district boundaries as established, and shall give
23 the name by which said proposed district has been designated, and
24 shall state the purposes and objects of said election, and shall be
25 published once a week, for at least two weeks (three issues) prior to
26 said election, in a newspaper of general circulation published in the
27 county where the petition aforesaid was presented; and if any portion
28 of said proposed district lies within another county or counties,
29 then said notice shall be published in like manner in a newspaper
30 within each of said counties. ~~((Said election notice shall also
31 require the electors to cast ballots which))~~ Ballots for this
32 election shall contain the words "Irrigation District—Yes," and
33 "Irrigation District—No," and also the names of persons to be voted
34 for as directors of the district: PROVIDED, That where in this act
35 publication is required to be made in a newspaper of any county, the
36 same may be made in a newspaper of general circulation in such
37 county, selected by the person or body charged with making the
38 publication and such newspaper shall be the official paper for such
39 purpose.

1 **Sec. 403.** RCW 87.03.030 and 1951 c 201 s 1 are each amended to
2 read as follows:

3 (1) All elections of irrigation districts, general or special,
4 for any district purpose and in any county of the state shall be
5 called, noticed, and conducted in accordance with the laws of the
6 state, (~~specifically relating to irrigation districts~~) Title 29A
7 RCW. A person is a "qualified voter" or an "elector" as used in this
8 title if he or she is a natural person who is a registered voter
9 under general state election laws and who resides within the
10 district. Each qualified voter or elector is entitled to vote in an
11 irrigation district election for his or her district.

12 (2) Any qualified voter may become a candidate for a director
13 position by filing a declaration of candidacy as provided in chapter
14 29A.24 RCW.

15 **Sec. 404.** RCW 87.03.040 and 1955 c 57 s 3 are each amended to
16 read as follows:

17 (~~The board of county commissioners shall meet on the second~~
18 ~~Monday after the election and canvass the returns, and if it appears~~
19 ~~that~~) After an election pursuant to RCW 87.03.020, if at least two-
20 thirds of all the votes cast are in favor of the district, the board
21 shall by an order declare the district duly organized and shall
22 declare the qualified persons receiving the highest number of votes
23 to be duly elected directors, and shall cause a certified copy of the
24 order to be filed for record in the offices of the auditor and
25 assessor of each county in which any portion of the district is
26 situated. From the date of the filing the organization of the
27 district shall be complete and the directors may, upon qualifying,
28 enter immediately upon the duties of their office, and shall hold
29 office until their successors are elected and qualified. Upon filing
30 the order, the county assessor shall write the name of the district
31 on the permanent tax roll in a column provided for that purpose
32 opposite each description of land in the district. Such column shall
33 be carried forward each year on the current tax roll. In the event of
34 a change in the boundaries of a district, the assessor shall note it
35 in the column upon the tax roll.

36 **Sec. 405.** RCW 87.03.075 and 2013 c 23 s 485 are each amended to
37 read as follows:

1 Voting in an irrigation district shall be by ballot. Ballots
2 shall ~~((be of uniform size and quality, provided by the district, and
3 for))~~ comply with the requirements of chapter 29A.36 RCW. For the
4 election of directors ~~((shall contain only the names of the
5 candidates who have filed with the secretary of the district a
6 declaration in writing of their candidacy, or a petition of
7 nomination as hereinafter provided, not later than five o'clock p.m.
8 on the first Monday in November. Ballots shall contain space for
9 sticker voting or for the writing in of the name of an undeclared
10 candidate. Ballots shall be issued by the election board according to
11 the number of votes an elector is entitled to cast. A person filing a
12 declaration of candidacy, or petition of nomination as hereinafter
13 provided, shall designate therein the position for which he or she is
14 a candidate. No ballots on any form other than the official form
15 shall be received or counted.~~

16 In any election for directors where the number of votes which may
17 be received will have no bearing on the length of the term to be
18 served, the candidates for the position of director, in lieu of
19 filing a declaration of candidacy hereunder, shall file with the
20 secretary of the district a petition of nomination signed by at least
21 ten qualified electors of the district, or of the division if the
22 district has been divided into director divisions, not later than
23 five o'clock p.m. on the first Monday in November. If, after the
24 expiration of the date for filing petitions of nomination, it appears
25 that only one qualified candidate has been nominated thereby for each
26 position to be filled it shall not be necessary to hold an election,
27 and the board of directors shall at their next meeting declare such
28 candidate elected as director. The secretary shall immediately make
29 and deliver to such person a certificate of election signed by him or
30 her and bearing the seal of the district. The procedure set forth in
31 this paragraph shall not apply to any other irrigation district
32 elections)), candidates must comply with the procedures in chapter
33 29A.24 RCW to be listed on the ballot.

34 **Sec. 406.** RCW 87.03.080 and 2013 c 23 s 486 are each amended to
35 read as follows:

36 An election of directors in an irrigation district shall be held
37 on the ~~((second Tuesday of December of each year))~~ date provided in
38 RCW 29A.04.321, and the term of each director shall be ~~((three))~~ four
39 years from the ~~((first Tuesday of January))~~ beginning of his or her

1 term following ~~((his or her))~~ the election. ~~((The))~~ No primary shall
2 be held for the initial organization election, and the directors
3 elected at the organization election shall serve until their
4 successors are elected and qualified. At the first ~~((annual))~~
5 election occurring thirty days or more after the date of the order
6 establishing the district, there shall be elected directors to
7 succeed those chosen at the organization election. If the board
8 consists of three directors the candidate receiving the highest
9 number of votes shall serve a term of ~~((three))~~ four years; ~~((the~~
10 ~~next highest, two years;))~~ and the next two highest, ~~((one year))~~ two
11 years. In case of five directors, the two candidates receiving the
12 highest number of votes shall each serve a term of ~~((three))~~ four
13 years; ~~((the next two highest, two years;))~~ and the next three
14 highest, ~~((one year))~~ two years; or until successors are elected and
15 qualified. In case of seven directors, the three candidates receiving
16 the highest number of votes shall each serve a term of ~~((three))~~ four
17 years, and the next ~~((two))~~ four highest, two years, ~~((and the next~~
18 ~~two highest, one year,))~~ or until their successors are elected and
19 qualified. Whenever a district with three directors desires to
20 increase the number of its directors to five directors or whenever a
21 district with five directors desires to increase the number of its
22 directors to seven directors, the board of directors, acting on its
23 own initiative or on the written petition of at least twenty electors
24 of the district, shall ~~((submit the question))~~ request that the
25 question be submitted to the electors of the district at a regular or
26 special district election called consistent with RCW 29A.04.330. In
27 the event the electors by a majority of the votes cast favor an
28 increase in the number of directors, there shall be elected at the
29 next annual district election two additional directors. The person
30 receiving the highest number of votes shall serve for a ~~((three))~~
31 four year term and the next highest, a two year term.

32 The number of directors may be decreased to five or three, as the
33 case may be, substantially in the same manner as that provided for
34 the increase of directors. In case of three directors the term of one
35 director only shall expire annually.

36 After the first election of directors, a primary must be held for
37 subsequent elections of directors, consistent with Title 29A RCW.

38 **Sec. 407.** RCW 87.03.081 and 2013 c 23 s 487 are each amended to
39 read as follows:

1 A vacancy in the office of director shall be filled by
2 appointment by the board of county commissioners of the county in
3 which the proceedings for the organization of the district were had.
4 At the next (~~annual~~) election occurring thirty days or more after
5 the date of the appointment, a successor shall be elected who shall
6 take office on the (~~first Tuesday in January following~~) date
7 specified in RCW 29A.60.280 and shall serve for the remainder of the
8 unexpired term.

9 A director appointed to fill a vacancy occurring after the
10 expiration of the term of a director shall serve until his or her
11 successor is elected and qualified. At the next election of directors
12 occurring thirty days or more after the appointment, a successor
13 shall be elected who shall take office on the (~~first Tuesday in~~
14 ~~January next~~) date specified in RCW 29A.60.280 and shall serve for
15 the term for which he or she was elected.

16 Failure on the part of any irrigation district to hold one or
17 more (~~annual~~) elections for selection of officers, or otherwise to
18 provide district officers shall not dissolve the district or impair
19 its powers, where later officers for the district are appointed or
20 elected and qualify as such and exercise the powers and duties of
21 their offices in the manner provided by law.

22 **Sec. 408.** RCW 87.03.190 and 1923 c 138 s 7, part are each
23 amended to read as follows:

24 Upon receipt of said findings the district board shall thereupon
25 finally determine the plan of development and estimate and determine
26 the amount of money to be raised and shall immediately thereafter
27 (~~call~~) request a special election as provided by (~~law~~) RCW
28 29A.04.330.

29 **Sec. 409.** RCW 87.03.215 and 1983 c 167 s 215 are each amended to
30 read as follows:

31 Said bonds and interest thereon and all payments due or to become
32 due to the United States or the state of Washington under any
33 contract between the district and the United States or the state of
34 Washington accompanying which bonds of the district have not been
35 deposited with the United States or the state of Washington, as in
36 RCW 87.03.140 provided, shall be paid by revenue derived from an
37 annual assessment upon the real property of the district, and all the
38 real property in the district shall be and remain liable to be

1 assessed for such payments until fully paid as hereinafter provided.
2 And in addition to this provision and the other provisions herein
3 made for the payment of said bonds and interest thereon as the same
4 may become due, said bonds, or the contract with the United States or
5 the state of Washington accompanying which bonds have not been
6 deposited with the United States or the state of Washington, shall
7 become a lien upon all the water rights and other property acquired
8 by any irrigation district formed under the provisions of this
9 chapter, and upon any canal or canals, ditch or ditches, flumes,
10 feeders, storage reservoirs, machinery and other works and
11 improvements acquired, owned or constructed by said irrigation
12 district, and if default shall be made in the payment of the
13 principal of said bonds or interest thereon, or any payment required
14 by the contract with the United States, or the state of Washington,
15 according to the terms thereof, the owner of said bonds, or any part
16 thereof or the United States or the state of Washington as the case
17 may be, shall have the right to enter upon and take possession of all
18 the water rights, canals, ditches, flumes, feeders, storage
19 reservoirs, machinery, property and improvements of said irrigation
20 district, and to hold and control the same, and enjoy the rents,
21 issues and profits thereof, until the lien hereby created can be
22 enforced in a civil action in the same manner and under the same
23 proceedings as given in the foreclosure of a mortgage on real estate.
24 This section shall apply to all bonds heretofore issued or any
25 contract heretofore made with the United States, or which may
26 hereafter be issued or made by any district: PROVIDED, That when any
27 such contract made after December 1, 1981, between any district and
28 the United States or the state of Washington covers only the real
29 property in a portion or portions of the district, all payments due
30 or to become due to the United States or the state of Washington
31 shall be paid by revenue derived from an annual assessment upon the
32 real property only in that portion or portions of the district
33 covered by the contract and the real property shall be and remain
34 liable to be assessed for such payments until fully paid and any
35 assessment lien which attaches thereto shall be the exclusive lien
36 notwithstanding other liens provided for in this section. In the
37 event of a contract between the district and the United States or the
38 state of Washington accompanying which bonds of the district have not
39 been deposited with the United States or the state of Washington as
40 provided in RCW 87.03.140 and the contract covers real property in

1 only a portion or portions of the district, the question of whether
2 the district should enter the contract shall be submitted only to
3 those qualified electors who (~~hold title or evidence of title to~~
4 ~~real property within~~) reside in that portion or portions of the
5 district and in the same manner as provided in RCW 87.03.200.

6 **Sec. 410.** RCW 87.03.470 and 1983 c 167 s 220 are each amended to
7 read as follows:

8 (1) The board of directors may, at any time when in their
9 judgment it may be advisable, (~~call~~) request a special election
10 (~~and~~), consistent with RCW 29A.04.330, to submit to the qualified
11 (~~electors~~) voters of the district the question whether or not a
12 special assessment shall be levied for the purpose of raising money
13 to be applied to any of the purposes provided in this chapter
14 including any purpose for which the bonds of the district or the
15 proceeds thereof might be lawfully used. Such election must be called
16 upon the notice prescribed, and the same shall be held and the result
17 thereof determined and declared in all respects in conformity with
18 the provisions of Title 29A RCW and RCW 87.03.200. The notice must
19 specify the amount of money proposed to be raised and the purpose for
20 which it is intended to be used and the number of installments in
21 which it is to be paid. At such election the ballot shall contain the
22 words "Assessment Yes" and "Assessment No." If the majority of the
23 votes cast are "Assessment Yes" the board may immediately or at
24 intervals thereafter incur indebtedness to the amount of said special
25 assessment for any of the purposes for which the proceeds of said
26 assessment may be used, and may provide for the payment of said
27 indebtedness by the issue and sale of notes of the district to an
28 amount equal to said authorized indebtedness, which notes shall be
29 payable in such equal installments not exceeding three in number as
30 the board shall direct. Said notes shall be payable by assessments
31 levied at the time of the regular annual levy each year thereafter
32 until fully paid. The amount of the assessments to be levied shall be
33 ascertained by adding fifteen percent for anticipated delinquencies
34 to the whole amount of the indebtedness incurred and interest. Each
35 assessment so levied shall be computed and entered on the assessment
36 roll by the secretary of the board, and collected at the same time
37 and in the same manner as other assessments provided for herein, and
38 when collected shall be paid to the county treasurer of the county to
39 the credit of said district, for the purposes specified in the notice

1 of such special election: PROVIDED, HOWEVER, That the board of
2 directors may at their discretion issue said notes in payment for
3 labor or material, or both, used in connection with the purposes for
4 which such indebtedness was authorized. Notes issued under this
5 section shall bear interest at a rate determined by the board,
6 payable semiannually. Such notes may be in any form, including bearer
7 notes or registered notes as provided in RCW 39.46.030.

8 (2) Notwithstanding subsection (1) of this section, such notes
9 may be issued and sold in accordance with chapter 39.46 RCW.

10 **Sec. 411.** RCW 87.03.480 and 2013 c 177 s 3 are each amended to
11 read as follows:

12 Any desired special construction, reconstruction, betterment or
13 improvement or purchase or acquisition of improvements already
14 constructed, for any authorized district service, including but not
15 limited to the safeguarding of open canals or ditches for the
16 protection of the public therefrom, which are for the special benefit
17 of the lands tributary thereto and within an irrigation district may
18 be constructed or acquired and provision made to meet the cost
19 thereof as follows:

20 (~~The holders of title or evidence of title to one-quarter~~) One-
21 quarter of the qualified voters who reside in the acreage proposed to
22 be assessed, may file with the district board their petition reciting
23 the nature and general plan of the desired improvement and specifying
24 the lands proposed to be specially assessed therefor. A local
25 improvement district may include adjoining, vicinal, or neighboring
26 improvements even though the improvements and the properties
27 benefited are not connected or continuous. Such improvements may be
28 owned by the United States, the state of Washington, the irrigation
29 district, or another local government. Upon approval of the board of
30 an adjoining irrigation district, an irrigation district may form
31 local improvement districts or utility local improvement districts
32 that are composed entirely or in part of territory within that
33 adjoining district. Upon the filing of the petition the board, with
34 the assistance of a competent engineer, shall make an investigation
35 of the feasibility, cost, and need of the proposed local improvement
36 together with the ability of the lands to pay the cost, and if it
37 appears feasible, they may elect to have plans and an estimate of the
38 cost prepared. If a protest against the establishment of the proposed
39 improvement signed by a majority of the (~~holders of title~~)

1 qualified voters in the proposed local district is presented at or
2 before the hearing, or if the proposed improvement should be found
3 not feasible, too expensive, or not in the best interest of the
4 district, or the lands to be benefited insufficient security for the
5 costs, they shall dismiss the petition.

6 **Sec. 412.** RCW 87.03.485 and 2013 c 177 s 4 are each amended to
7 read as follows:

8 In the event that the board approves the petition, the board
9 shall fix a time and place for the hearing thereof and shall publish
10 a notice once a week for two consecutive weeks preceding the date of
11 such hearing and the last publication shall not be more than seven
12 days before such date and shall mail such a notice on or before the
13 second publication date by first-class mail, postage prepaid, to each
14 (~~owner or reputed owner of real property~~) qualified voter within
15 the proposed local improvement district, as shown on the rolls of the
16 county treasurer as of a date not more than twenty days immediately
17 prior to the date such notice was mailed. Such notice must be
18 published in a newspaper of general circulation in each county in
19 which any portion of the land proposed to be included in such local
20 improvement district lies. Such notice shall state that the lands
21 within the described boundaries are proposed to be organized as a
22 local improvement district, stating generally the nature of the
23 proposed improvement; that bonds for such local improvement district
24 are proposed to be issued as the bonds of the irrigation district, or
25 that a contract is proposed to be entered into between the district
26 and the United States or the state of Washington, or both, that the
27 lands within the local improvement district are to be assessed for
28 such improvement, that such bonds or contract will be the obligation
29 of such local improvement district and stating a time and place of
30 hearing thereon. At the time and place of hearing named in the
31 notice, all persons interested may appear before the board and show
32 cause for or against the formation of the proposed improvement
33 district and the issuance of bonds or the entering into of a contract
34 as aforesaid. The board may designate a hearing officer to conduct
35 the hearing, and the hearing officer shall report recommendations on
36 the establishment of the local improvement district to the board for
37 final action. Upon the hearing the board shall determine as to the
38 establishment of the proposed local improvement district. Any
39 (~~landowner whose lands~~) resident who can be served or will be

1 benefited by the proposed improvement, may make application to the
2 board at the time of hearing to include such land and the board of
3 directors in such cases shall, at its discretion, include such lands
4 within such district. The board of directors may exclude any land
5 specified in the notice from the district provided, that in the
6 judgment of the board, the inclusion thereof will not be practicable.

7 As an alternative plan and subject to all of the provisions of
8 this chapter, the board of directors may initiate the organization of
9 a local improvement district as herein provided. To so organize a
10 local improvement district the board shall adopt and record in its
11 minutes a resolution specifying the lands proposed to be included in
12 such local improvement district or by describing the exterior
13 boundaries of such proposed district or by both. The resolution shall
14 state generally the plan, character and extent of the proposed
15 improvements, that the land proposed to be included in such
16 improvement district will be assessed for such improvements; and that
17 local improvement district bonds of the irrigation district will be
18 issued or a contract entered into as hereinabove in this section
19 provided to meet the cost thereof and that such bonds or contract
20 will be the obligation of such local improvement district. The
21 resolution shall fix a time and place of hearing thereon and shall
22 state that unless a majority of the (~~holders of title or of evidence~~
23 ~~of title to lands~~) qualified voters who reside within the proposed
24 local improvement district file their written protest at or before
25 the hearing, consent to the improvement will be implied.

26 A notice containing a copy of the resolution must be published
27 once a week for two consecutive weeks preceding the date of such
28 hearing and the last publication shall not be more than seven days
29 before such date, and shall be mailed on or before the second
30 publication date by first-class mail, postage prepaid, to each
31 (~~owner or reputed owner of real property~~) qualified voter within
32 the proposed local improvement district, as shown on the rolls of the
33 county treasurer as of a date not more than twenty days immediately
34 prior to the date such notice was mailed, and the hearing thereon
35 shall not be held in less than twenty days from the adoption of such
36 resolution. Such notice must be published in one newspaper, of
37 general circulation, in each county in which any portion of the land
38 proposed to be included in such local improvement district lies. The
39 hearing shall be held and all subsequent proceedings conducted in
40 accordance with the provisions of this (~~act~~) chapter relating to

1 the organization of local improvement districts initiated upon
2 petition.

3 **Sec. 413.** RCW 87.03.535 and 1919 c 180 s 19 are each amended to
4 read as follows:

5 For the purpose of organizing a consolidated irrigation district
6 a petition signed by fifty or a majority of (~~the holders of title~~
7 ~~to, or evidence of title to land susceptible of irrigation~~)
8 qualified voters who reside within the proposed district shall be
9 presented to the board of county commissioners of the county in which
10 the lands or the greater portion thereof are situated, which petition
11 shall set forth and particularly describe the proposed boundaries of
12 such district, and the name of each existing irrigation district
13 proposed to be included therein, and shall pray that the territory
14 embraced within the boundaries of such proposed district may be
15 organized as a consolidated irrigation district. Such petition shall
16 be accompanied by bond as provided in RCW 87.03.020 and thereupon the
17 same proceedings shall be had for the organization of such
18 consolidated district as is provided in RCW 87.03.020 (~~and 87.03.035~~
19 ~~through 87.03.045~~), and the organization of such consolidated
20 district shall be perfected in the same manner as provided in this
21 chapter for the organization of new districts, except as otherwise
22 provided in this section. The board of directors of each irrigation
23 district proposed to be included in such consolidated district shall
24 be served with a copy of the petition for the organization of such
25 consolidated district together with notice at the time and place of
26 hearing of such petition, at least twenty days prior to such hearing,
27 and the board of county commissioners upon the hearing of such
28 petition shall not grant the same or (~~call an~~) request a special
29 election if it shall appear that the board of directors of any
30 existing irrigation district proposed to be included in such
31 consolidated district have by resolution, regularly passed and
32 entered upon the minutes of the directors meetings of such district,
33 voted against the inclusion of such district into such proposed
34 consolidated district. The board of county commissioners upon the
35 hearing of such petition, shall not modify the boundaries of the
36 proposed district to exclude any of the lands which are contained in
37 any of the existing districts proposed to be included in such
38 consolidated districts, and the (~~order calling~~) resolution
39 requesting an election under RCW 29A.04.330 shall provide an election

1 by the ~~((electors))~~ qualified voters of each existing district
2 proposed to be included in such consolidated district, and for an
3 election by the ~~((electors))~~ qualified voters of that part of the
4 proposed district not included in any existing district, but no
5 elector may cast more than one vote at such election. Such proposed
6 district shall not be declared organized unless two-thirds of all
7 votes cast in each existing district shall be Irrigation District—
8 Yes, and unless two-thirds of all the votes cast in that part of the
9 proposed district not included in any existing district shall be
10 Irrigation District—Yes. If the organization of such consolidated
11 district is not effected the organization of the district proposed to
12 be included in such consolidated district shall not be affected.

13 **Sec. 414.** RCW 87.03.560 and 2001 c 149 s 3 are each amended to
14 read as follows:

15 ~~((The holder or holders of title, or evidence of title,~~
16 ~~representing one-half or more of))~~ A majority of the qualified voters
17 residing within any body of lands may file with the board of
18 directors of an irrigation district a petition in writing, praying
19 that the boundaries of the district may be so changed as to include
20 such lands. The petition shall describe the boundaries of the parcel
21 or tract of land, and shall also describe the boundaries of the
22 several parcels ~~((owned))~~ inhabited by the petitioners, if the
23 petitioners be the ~~((owners))~~ residents respectively of distinct
24 parcels, but such descriptions need not be more particular than they
25 are required to be when such lands are entered by the county assessor
26 in the assessment book. Such petition must contain the assent of the
27 petitioners to the inclusion within the district of the parcels or
28 tracts of land described in the petition, and of which the petition
29 alleges they are respectively the ~~((owners))~~ residents; and it must
30 be acknowledged in the same manner that conveyances of land are
31 required to be acknowledged.

32 **Sec. 415.** RCW 87.03.590 and 1889-90 p 697 s 54 are each amended
33 to read as follows:

34 Upon the adoption of the resolution mentioned in RCW 87.03.585,
35 the board shall ~~((order))~~ request that ~~((an))~~ a special election be
36 held, consistent with RCW 29A.04.330, within said district, to
37 determine whether the boundaries of the district shall be changed as
38 mentioned in said resolution; ~~((and shall fix the time at which such~~

1 ~~election shall be held,~~) and shall cause notice thereof to be given
2 and published. (~~Such notice shall be given and published, and such~~
3 ~~election shall be held and conducted, the returns thereof shall be~~
4 ~~made and canvassed, and the result of the election ascertained and~~
5 ~~declared, and all things pertaining thereto conducted, in the manner~~
6 ~~prescribed by this act in case of a special election to determine~~
7 ~~whether bonds of an irrigation district shall be issued.)) The
8 ballots cast at said election shall contain the words "For change of
9 boundary," or "Against change of boundary," or words equivalent
10 thereto. The notice of election shall describe the proposed change of
11 the boundaries in such manner and terms that it can readily be
12 traced.~~

13 **Sec. 416.** RCW 87.03.615 and 1939 c 150 s 1 are each amended to
14 read as follows:

15 Whenever five or a majority of the (~~holders of title to or~~
16 ~~evidence of title to any~~) qualified voters who reside on land
17 susceptible of irrigation from the water supply and system of works
18 of any irrigation district in this state, comprising within its
19 boundaries two hundred thousand or more acres of land now existing or
20 hereafter organized, desire to have such land included in said
21 irrigation district, they may file a petition, in writing, with the
22 board of directors thereof praying that such land be included in such
23 district.

24 **Sec. 417.** RCW 87.03.630 and 2014 c 2 s 3 are each amended to
25 read as follows:

26 The board of directors of the district shall meet at the time and
27 place specified in the notice and shall have full authority to
28 determine all matters pertaining to the petition, including the
29 denial as well as the granting of said petition or any part thereof;
30 and if it appears at said hearing, or at any adjournment thereof
31 which may be had not to exceed in all one hundred eighty days, that
32 the land or any portion thereof petitioned to be included within the
33 district, is susceptible of irrigation from the water supply and
34 system of works of the said district and will be benefited by such
35 irrigation; and if at said hearing or at any adjournment thereof as
36 aforesaid, not more than fifty percent of the (~~holders of title or~~
37 ~~evidence of title to~~) qualified voters who reside on the lands
38 described in the petition and proposed to be included file their

1 objections in writing to the inclusion of such land within the time
2 and as provided in RCW 87.03.615 through 87.03.640, the said board
3 shall make and enter in the records of their proceedings an order
4 including said land, or such portion thereof as in their judgment is
5 susceptible of irrigation and will be benefited as aforesaid, within
6 the operation of said district.

7 **Sec. 418.** RCW 87.03.635 and 1939 c 150 s 5 are each amended to
8 read as follows:

9 If at said hearing or at any adjournment thereof, the board of
10 directors shall determine that said land is not susceptible of
11 irrigation and will not be benefited as aforesaid by inclusion in the
12 district, or if more than fifty percent of the (~~holders of title to~~
13 ~~or evidence of title to~~) qualified voters who reside on the land
14 described in the petition file their objections in writing within the
15 time and as aforesaid, then the board of directors shall deny said
16 petition and shall make and enter in the records of their proceedings
17 an order to that effect.

18 **Sec. 419.** RCW 87.03.650 and 1921 c 129 s 36 are each amended to
19 read as follows:

20 (~~The owner or owners in fee of one or more tracts of land which~~
21 ~~constitute a portion of an irrigation district, or fifty~~) Fifty or a
22 majority of the (~~holders of title to lands constituting any~~)
23 qualified voters who reside within a portion of an irrigation
24 district, or consolidated district as the case may be, for which
25 lands similar grounds for exclusion may exist, or fifty or a majority
26 of the (~~holders of title to lands which constituted~~) qualified
27 voters who reside within a former irrigation district included with a
28 consolidated district, may file with the board of directors of such
29 district, or of such consolidated district, as the case may be, a
30 petition praying that such tracts, and any other tracts contiguous
31 thereto, or such land which constituted such former district, may be
32 excluded and taken from said district, or consolidated district, as
33 the case may be, and in the latter case that such former district may
34 be reestablished. The petition for the exclusion of tracts of land
35 from a district shall describe the boundaries of the land which the
36 petitioners desire to have excluded from the district, and also
37 describe the land of such of said petitioners which are included
38 within such boundaries; but the description of such lands need not be

1 more particular or certain than is required when the lands are
2 entered in the assessment book by the county assessor. The petition
3 for the exclusion of a former district from a consolidated district
4 shall give the corporate name and number of such former district and
5 shall describe the lands of each of said petitioners by legal
6 subdivision or lot and block numbers and name of city, town or
7 addition of platted lands. Every such petition must be acknowledged
8 in the same manner and form as is required in case of a conveyance of
9 land, and the acknowledgment shall have the same force and effect as
10 evidence as the acknowledgment of such conveyance.

11 **Sec. 420.** RCW 87.03.675 and 1921 c 129 s 41 are each amended to
12 read as follows:

13 If the assent aforesaid of the holders of said bonds be filed and
14 entered of record as aforesaid, and if there be objections presented
15 by any person showing cause as aforesaid, which have not been
16 withdrawn, then the board may (~~order an~~) request a special election
17 to be held, consistent with RCW 29A.04.330, in each district to
18 determine whether an order shall be made excluding said land from
19 said district, or excluding said former district from said
20 consolidated district, as the case may be, and such former district
21 be reestablished, as mentioned in said resolution. The notice of such
22 election shall describe the boundary of all lands, or shall give the
23 corporate name and number of the former district, which it is
24 proposed to exclude, and such notice shall be published for at least
25 two weeks prior to such election, in a newspaper published within the
26 county where the office of the board of directors is situated; and if
27 any portion of such territory to be excluded lie within another
28 county or counties, then said notice shall be so published in a
29 newspaper published within each of such counties. (~~Such notice shall~~
30 ~~require the electors to cast ballots, which~~) The ballots shall
31 contain the words "For exclusion" and "Against exclusion", or words
32 equivalent thereto. (~~Such election shall be conducted in the manner~~
33 ~~prescribed in this chapter for the holding of special elections on~~
34 ~~the issuance of bonds.~~) In every case where the petition is for the
35 exclusion of a former district from a consolidated district the
36 resolution of the board (~~ordering~~) requesting an election shall
37 provide for the holding of such election separately in the territory
38 comprising such former district and in the territory comprising that
39 portion of the consolidated district not included in such former

1 district, and (~~for~~) canvassing and counting of the votes cast at
2 such election must be done separately.

3 **Sec. 421.** RCW 87.03.740 and 1957 c 94 s 14 are each amended to
4 read as follows:

5 Upon the adoption of the resolution, the board shall (~~order an~~)
6 request a special election, consistent with RCW 29A.04.330, to be
7 held within the irrigation district on the question of the proposed
8 merger (~~and shall fix the time thereof and cause notice to be~~
9 ~~published~~). The notice shall be given and the election conducted in
10 the manner as for special elections on a bond issue of the district.
11 The ballots shall contain the words "Merger, Yes" and "Merger, No" or
12 words equivalent thereto.

13 **Sec. 422.** RCW 87.03.845 and 2001 c 149 s 1 are each amended to
14 read as follows:

15 This section and RCW 87.03.847 through 87.03.855 provide the
16 procedures by which a minor irrigation district may be merged into a
17 major irrigation district as authorized by RCW 87.03.530(2).

18 To institute proceedings for such a merger, the board of
19 directors of the minor district shall adopt a resolution requesting
20 the board of directors of the major district to consider the merger,
21 or proceedings for such a merger may be instituted by a petition
22 requesting the board of directors of the major district to consider
23 the merger, signed by ten (~~owners of land~~) qualified voters within
24 the minor district or five percent of the total number of
25 (~~landowners~~) qualified voters within the minor district, whichever
26 is greater. However, if there are fewer than twenty (~~owners of~~
27 ~~land~~) qualified voters within the minor irrigation district, the
28 petition shall be signed by a majority of the (~~landowners~~)
29 qualified voters and filed with the board of directors of the major
30 irrigation district.

31 (~~For the purpose of determining the number of landowners~~
32 ~~required to initiate merger proceedings under this section, a husband~~
33 ~~and wife owning property as community property shall be considered a~~
34 ~~single landowner; two or more persons or entities holding title to~~
35 ~~property as tenants in common, joint tenants, tenants in partnership,~~
36 ~~or other form of joint ownership shall be considered a single~~
37 ~~landowner; and the petition requesting the merger shall be considered~~
38 ~~by the board of directors of the major irrigation district may be [if~~

1 ~~the petition is] signed by either the husband or wife and by any one~~
2 ~~of the co-owners of jointly owned property.))~~

3 The board of directors of the major irrigation district shall
4 consider the request at the next regularly scheduled meeting of the
5 board of directors of the major district following its receipt of the
6 minor district's request or at a special meeting called for the
7 purpose of considering the request. If the board of the major
8 district denies the request of the minor district, no further action
9 on the request shall be taken.

10 If the board of the major district does not deny the request, it
11 shall conduct a public hearing on the request and shall give notice
12 regarding the hearing. The notice shall describe the proposed merger
13 and shall be published once a week for two consecutive weeks
14 preceding the date of the hearing and the last publication shall be
15 not more than seven days before the date of the hearing. ~~((The notice~~
16 ~~shall contain a statement that unless the holders of title or~~
17 ~~evidence of title to at least twenty percent of the assessed lands~~
18 ~~within the major district file a protest opposing the merger with the~~
19 ~~board of the major district at or before the hearing, the board is~~
20 ~~free to approve the request for the merger without an election being~~
21 ~~conducted in the major district on the request.))~~ If the board of the
22 major district is considering requests from more than one minor
23 district, the hearing shall be conducted on all such requests.

24 **Sec. 423.** RCW 87.03.847 and 1993 c 235 s 3 are each amended to
25 read as follows:

26 (1) If, following the public hearing conducted under RCW
27 87.03.845, the board of directors of the major irrigation district
28 denies the request for a merger, no further action shall be taken on
29 the request. If, following the public hearing, the board adopts a
30 resolution approving the merger, the merger is approved by the major
31 irrigation district and no election shall be held in the major
32 district to approve the merger. However, if ~~((the holders of title or~~
33 ~~evidence of title to))~~ at least twenty percent of the ~~((assessed~~
34 ~~lands))~~ qualified voters within the major district file a protest
35 opposing the merger with the board of the major district at or before
36 the public hearing, the board shall ~~((call))~~ request a special
37 election ~~((and))~~, consistent with RCW 29A.04.330, to submit to the
38 voters of the major district the question of whether the merger
39 should or should not be approved. Votes shall be cast as "Merger -

1 Yes" or "Merger - No." If such a special election must be conducted
2 and a majority of all votes cast in the district approve the merger,
3 the merger is approved by the major district. Such an approval is
4 effective on the date the returns of the election are canvassed
5 (~~under RCW 87.03.105~~).

6 (2) The board of directors of the minor irrigation district
7 shall, within thirty days of the date the merger is approved by the
8 major district or of the date the (~~board of the major district~~)
9 county auditor issues (~~its~~) a call for a special election on the
10 merger, (~~call~~) request a special election within the minor district
11 (~~and~~) consistent with RCW 29A.04.330, to submit to the voters of
12 the minor district the question of whether the merger should or
13 should not be approved. If special elections must be conducted in
14 both districts, both elections shall be conducted on the same date
15 (~~set by the board of the major district~~). If only the minor
16 district must conduct such a special election, the election shall be
17 held (~~not later than sixty days~~) on the first date for special
18 elections under RCW 29A.04.330 after the date the merger has been
19 approved by the board of the major district. Votes on the question
20 shall be cast as "Merger - Yes" or "Merger - No." If a majority of
21 all votes cast in the district are cast for "Merger - Yes," the
22 merger is approved by the minor irrigation district. Such an approval
23 is effective on the date the returns of the election are canvassed
24 (~~under RCW 87.03.105~~).

25 (3) Notice of election in each district on the merger question
26 shall conform to the requirements of notices for elections in the
27 major district. Elections and voting in each district shall be
28 consistent with RCW (~~87.03.045, 87.03.051, and 87.03.071~~)
29 87.03.030. If the majority of all votes cast in a special election in
30 either the major or a minor district are cast for "Merger - No," the
31 merger is not approved.

32 (4) If the merger is approved by the major irrigation district
33 and by the minor irrigation district as provided by this section, the
34 minor irrigation district is merged into the major irrigation
35 district. If two or more minor districts are merging with a major
36 district in one process as authorized by RCW 87.03.855 and if the
37 merger is approved by the major irrigation district and by at least
38 one of the minor irrigation districts as provided by this section,
39 each minor irrigation district so approving is merged into the major
40 irrigation district. The effective date of the merger is the date by

1 which approval of the merger has been secured in both districts or,
2 under RCW 87.03.855, in the major and minor district or districts.
3 The board or boards of county commissioners of the county or counties
4 containing territory of the merged districts and the director of the
5 department of ecology shall be notified that the districts have
6 merged.

7 **Sec. 424.** RCW 87.04.010 and 2013 c 23 s 511 are each amended to
8 read as follows:

9 An irrigation district comprising two hundred thousand or more
10 acres, or irrigation districts comprising less than two hundred
11 thousand acres which have followed the optional procedure specified
12 in this amendatory act, shall be divided into divisions of as nearly
13 equal area as practical, consistent with being fair and equitable to
14 the electors of the district. The number of divisions shall be the
15 same as the number of directors, which shall be numbered first,
16 second, third, etc. One director, who shall be an elector of the
17 division, shall be elected for each division of the district by the
18 electors of his or her division. A district elector shall be
19 considered an elector of the division in which (~~he or she holds~~
20 ~~title to or evidence of title to land. An elector holding title to or~~
21 ~~evidence of title to land in more than one division shall be~~
22 ~~considered an elector of the division nearest his or her place of~~
23 ~~residence~~) the elector resides.

24 **Sec. 425.** RCW 87.04.070 and 1961 c 192 s 7 are each amended to
25 read as follows:

26 At the hearing or adjournments thereof, which shall not be for
27 more than sixty days in all, the board of county commissioners shall
28 consider the petition and shall hear electors of the district for or
29 against the division or redivision of director divisions and
30 recommendations for the manner in which division should be made. If
31 the board deems it against the best interests of the district to
32 divide the district into director divisions or to redivide existing
33 divisions, it shall order the petition rejected, but if it deems it
34 for the best interests of the district that the petition be granted,
35 and if no elector of the district files cause in writing at said
36 hearing why the petition should not be granted, or if having filed
37 said cause in writing withdraws the same, the board shall enter an
38 order dividing or redividing the district into the same number of

1 director divisions as there are directors of the district, and
2 designating the divisions and describing the boundaries thereof. The
3 division to be made shall be such as the commissioners consider fair
4 and equitable to the electors of the district. A copy of the
5 commissioners' order shall be filed for record, without charge, with
6 the auditor of each county in which any part of the district is
7 situated, and thereafter the directors shall be elected or appointed
8 as provided in this chapter. If any elector shall appear in person at
9 said hearing and shall file cause in writing as aforesaid why the
10 petition should not be granted and shall not withdraw the same, and
11 if the board nevertheless deems it for the best interests of the
12 district that the petition be granted, the board shall adopt a
13 resolution to that effect and shall (~~order an~~) request a special
14 election, consistent with RCW 29A.04.330, to be held within the
15 district on whether the district should be divided into director
16 divisions or its existing director divisions be redivided(~~, and~~
17 ~~shall fix the time thereof and cause notice to be published~~). The
18 notice shall be given and the election conducted in the manner as for
19 special elections on a bond issue of the district. The notice shall
20 state the general plan of division or redivision but need not
21 describe with particularity the boundaries of the proposed division
22 or redivision. Such boundaries shall be described on the ballot. If
23 the majority of votes cast at the election are in favor of dividing
24 or redividing the district into director divisions, the board of
25 county commissioners shall enter an order dividing or redividing the
26 district into the same number of director divisions as there are
27 directors of the district, and designating the divisions and
28 designating the boundaries thereof. If a majority of the votes cast
29 are against division or redivision into director districts, the board
30 shall order the petition denied.

31 **Sec. 426.** RCW 87.04.080 and 1961 c 192 s 8 are each amended to
32 read as follows:

33 At the next general election of directors of a district which has
34 been divided into director divisions, the electors of the first
35 division shall select the director then to be elected on the board,
36 and if more than one director is to be selected, the second division
37 shall select one, and so on in numerical order, until, as the terms
38 of incumbent directors expire, all the divisions are represented on
39 the board, and thereafter directors shall be elected from the

1 divisions in rotation, as their respective terms of office expire:
2 PROVIDED, That if following the numerical order of director divisions
3 will result in any year in one division having more than one director
4 and one division having no director, then the numerical order of the
5 divisions shall not be followed for the year or years in question but
6 the electors of the next highest numbered division without
7 representation on the board of directors shall select the director
8 then to be elected on the board. If such a district is organized but
9 has not yet held an annual election of officers, it shall, at its
10 next annual election, select directors for (~~three, two and one-~~
11 ~~year~~) four and two-year terms respectively, and if the district is
12 managed by a board of three directors, the first division shall
13 select a director for the (~~three-year~~) four-year term, the second
14 division shall select one for (~~the~~) a two-year term, and the third
15 division shall select one for (~~the one-year~~) a two-year term, and
16 thereafter their successors shall be elected for (~~three-year~~) four-
17 year terms, respectively. If the district has five directors, the
18 first and second divisions shall each select a director for (~~the~~
19 ~~three-year~~) a four-year term, the third and fourth divisions shall
20 each select one for (~~the~~) a two-year term, and the fifth division
21 shall select one for (~~the one-year~~) a two-year term, and thereafter
22 their successors shall be elected for (~~three-year~~) four-year terms
23 respectively. If the district has seven directors, the first, second
24 and third divisions shall each select a director for (~~the three-~~
25 ~~year~~) a four-year term, the fourth and fifth divisions shall each
26 select a director for (~~the~~) a two-year term, and the sixth and
27 seventh divisions shall each select a director for (~~the one-year~~) a
28 two-year term, and thereafter their successors shall be elected for
29 (~~three-year~~) four-year terms respectively.

30 **Sec. 427.** RCW 87.19.010 and 1983 c 167 s 227 are each amended to
31 read as follows:

32 Whenever the board of directors of any irrigation district shall
33 deem it for the best interest of said district that any or all
34 outstanding bonds of said district be refunded, they shall so declare
35 by resolution duly adopted and recorded in the minutes of said board
36 and shall, with the written approval of the state director of the
37 department of ecology, (~~submit~~) request that the question be
38 submitted to the legally qualified electors of said district at a
39 general election or at a special election called for that purpose

1 under RCW 29A.04.330, and if a majority of said electors voting at
2 said election vote in favor thereof the directors of said district
3 shall issue and exchange said bonds for those outstanding, or sell
4 said bonds and retire said outstanding bonds. The bonds may be issued
5 and sold in accordance with chapter 39.46 RCW.

6 **Sec. 428.** RCW 87.19.020 and 1991 c 363 s 160 are each amended to
7 read as follows:

8 The notice of election provided for in this chapter shall be
9 given and the election held in all respects in accordance with RCW
10 (~~(87.03.200, except in each county with a population of one hundred~~
11 ~~twenty-five thousand or more, where the notice and election shall be~~
12 ~~held in the manner provided by law for such counties)) 87.03.030 and
13 Title 29A RCW.~~

14 **Sec. 429.** RCW 87.22.120 and 1929 c 120 s 15 are each amended to
15 read as follows:

16 Upon final determination of maximum benefits and irrigable
17 acreage aforesaid, the board of directors of the district shall
18 request that a special election be called, consistent with RCW
19 29A.04.330, to submit to the electors of the district possessing the
20 qualifications prescribed by the irrigation district law the question
21 whether refunding bonds of the district in amount and of the maturity
22 proposed by said board shall be issued and exchanged for outstanding
23 bonds as herein provided.

24 **Sec. 430.** RCW 87.22.125 and 1929 c 120 s 16 are each amended to
25 read as follows:

26 Except as herein otherwise specifically provided said election
27 shall be called, noticed, conducted, and the results thereof
28 determined (~~(in the same manner and by the same officials))~~ as
29 (~~that~~) provided (~~(by law for the calling, noticing, conducting and~~
30 ~~canvassing of original bond elections in irrigated districts)) in RCW
31 87.03.030 and Title 29A RCW.~~

32 **Sec. 431.** RCW 87.28.103 and 2013 c 177 s 11 are each amended to
33 read as follows:

34 When the directors of the district have decided to issue revenue
35 bonds as herein provided, they shall (~~call~~) request a special
36 election, consistent with RCW 29A.04.330, in the irrigation district

1 at which election shall be submitted to the electors thereof
2 possessing the qualifications prescribed by law the question whether
3 revenue bonds of the district in the amount and payable according to
4 the plan of payment adopted by the board and for the purposes therein
5 stated shall be issued. The election shall be called, noticed,
6 conducted, and canvassed in the same manner as provided by (~~law for~~
7 ~~irrigation district elections to authorize an original issue of bonds~~
8 ~~payable from revenues derived from annual assessments upon the real~~
9 ~~property in the district~~)) RCW 87.03.030 and Title 29A RCW: PROVIDED,
10 That the board of directors shall have full authority to issue
11 revenue bonds as herein provided payable within a maximum period of
12 forty years without a special election.

13 **Sec. 432.** RCW 87.52.015 and 1897 c 79 s 2 are each amended to
14 read as follows:

15 A petition signed by one-third or more (~~holders of title or~~
16 ~~evidence of title to lands~~)) qualified voters within said district
17 (~~who shall be qualified electors thereof~~)), reciting the fact that
18 said district has no bonded indebtedness and praying that said
19 district be disorganized under the provisions of RCW 87.52.010
20 through 87.52.060, shall be delivered to the secretary of the board
21 of directors of said district or to one of the directors thereof.

22 **Sec. 433.** RCW 87.52.030 and 2013 c 23 s 517 are each amended to
23 read as follows:

24 Upon the delivery of said petition the board of directors of said
25 irrigation district shall(~~at their next succeeding regular monthly~~
26 ~~meeting, order an election, the date of which election shall be~~
27 ~~within twenty days from the date of said meeting of the board of~~
28 ~~directors~~)) request a special election at the next date for special
29 elections under RCW 29A.04.330, and which election shall be conducted
30 as other elections of irrigation districts are conducted under RCW
31 87.03.030. At said election the qualified electors of said irrigation
32 district shall cast ballots which shall contain the words
33 "Disorganize, Yes," or "Disorganize, No." No person shall be entitled
34 to vote at any election held under the provisions of RCW 87.52.010
35 through 87.52.060 unless he or she is a qualified voter under the
36 election laws of the state, and (~~holds title or evidence of title~~
37 ~~to~~)) resides on the land in said district.

1 **Sec. 434.** RCW 87.52.080 and 1939 c 149 s 2 are each amended to
2 read as follows:

3 A petition signed by twenty-five or more (~~holders of title or~~
4 ~~evidence of title to lands~~) qualified voters within said district
5 (~~who shall be qualified electors~~), reciting the fact that said
6 district has no bonded indebtedness, has been in existence for more
7 than twenty years, and has secured no irrigation for any of its
8 lands, and praying that said district be disorganized under the
9 provisions of RCW 87.52.070 through 87.52.090, shall be delivered to
10 the secretary of the board of directors of said district or to one of
11 the directors thereof.

12 **Sec. 435.** RCW 87.52.090 and 1939 c 149 s 3 are each amended to
13 read as follows:

14 Upon the delivery of said petition, as aforesaid, the board of
15 directors of said district, the secretary thereof, and all other
16 officials provided by law, shall (~~call, notice, conduct and canvass~~
17 ~~an election~~) request a special election, consistent with RCW
18 29A.04.330, and if three-fifths of the votes cast at said election
19 are in favor of the disorganization of the district, shall proceed
20 with the disorganization of the district, all in the manner, with the
21 same powers and with the same force and effect and in accordance with
22 RCW 87.52.030 through 87.52.060.

23 **Sec. 436.** RCW 87.53.040 and 1951 c 237 s 4 are each amended to
24 read as follows:

25 The board of commissioners of the county shall at their present
26 or next regular meeting(~~, call an~~) request a special election,
27 consistent with RCW 29A.04.330, to submit to the electors of the
28 district the question of whether the district shall be so dissolved.
29 (~~They shall direct the auditor to give notice of the election and~~
30 ~~shall appoint the election officials.~~)

31 **Sec. 437.** RCW 87.53.050 and 1951 c 237 s 5 are each amended to
32 read as follows:

33 The election shall be called upon the same notice and conducted
34 in like manner as other elections of the district under RCW 87.03.030
35 and Title 29A RCW: PROVIDED, That when the bondholder's consent to
36 dissolution provides for an adjustment of the bonded debt and/or the

1 terms and method of its payment the notice of election shall recite
2 the substance thereof.

3 The ballot shall contain the words "For dissolution, Yes" and
4 "For dissolution, No." (~~No person not a qualified elector under the~~
5 ~~general election laws and a freeholder of the district shall be~~
6 ~~deemed a qualified elector under this chapter.~~) If a majority of the
7 votes cast favor dissolution, the commissioners shall order the
8 district dissolved.

9 **Sec. 438.** RCW 87.56.010 and 1988 c 127 s 63 are each amended to
10 read as follows:

11 In all instances where fifty percent of the acreage within an
12 irrigation district has been sold to the district on account of
13 delinquent district assessments, and more than one year has elapsed
14 since the sale of said property to the district without redemption by
15 the owners thereof, and the district is unable to raise sufficient
16 revenue to meet its obligations when the same become due and payable,
17 such district shall be deemed insolvent and the district board shall
18 have authority to (~~call an~~) request a special election consistent
19 with RCW 29A.04.330 in the district to determine whether the district
20 shall discontinue operation and dissolve: PROVIDED, That in case
21 there are bonds of the district outstanding, written consent of the
22 holders of at least fifty-one percent in amount of such outstanding
23 bonds shall be obtained by the district board before (~~calling~~)
24 requesting said election: PROVIDED, FURTHER, That if any portion of
25 such outstanding bonds are owned by the state of Washington the board
26 of directors of such district shall give written notice to the
27 director of ecology of the intention of the board of directors to
28 (~~call~~) request such election, and unless the director of ecology
29 shall sign written objection to the calling of such election within
30 ten days after the giving of such notice the state shall be deemed as
31 consenting thereto.

32 Said election (~~shall be called,~~) shall be conducted and the
33 results canvassed in the same manner substantially provided by law
34 for a bond election in the district under RCW 87.03.030 and Title 29A
35 RCW.

36 **Sec. 439.** RCW 87.84.020 and 2007 c 218 s 80 are each amended to
37 read as follows:

1 A petition to convert an existing irrigation district to an
2 irrigation and rehabilitation district shall be signed by at least
3 fifty (~~holders of title or evidence of title to land~~) qualified
4 voters within the district. The petition shall contain the following:

5 (1) The legal description of the property to be served.

6 (2) The signature and address of each petitioner, together with
7 the legal description of the lands within the district owned by each.

8 (3) Any other matter deemed material.

9 The petition shall be accompanied by a bond, to be approved by
10 the board, in double the amount of the probable cost of organizing
11 the district, and conditioned that the bondsperson will pay all the
12 costs if the organization is not effected.

13 **Sec. 440.** RCW 87.84.070 and 2013 c 23 s 531 are each amended to
14 read as follows:

15 The directors shall be empowered to specially assess land located
16 in the district for benefits thereto taking as a basis the last
17 equalized assessment for county purposes: PROVIDED, That such
18 assessment shall not exceed twenty-five cents per thousand dollars of
19 assessed value upon such assessed valuation without securing
20 authorization by vote of the electors of the district at an election
21 called for that purpose.

22 The (~~board~~) county auditor shall give notice of such an
23 election, for the time and in the manner and form provided for
24 irrigation district elections. The manner of conducting and voting at
25 such an election, (~~opening and closing polls,~~) canvassing the
26 votes, certifying the returns, and declaring the result shall be
27 (~~nearly as practicable the same as in irrigation district~~
28 ~~elections~~) governed by RCW 87.03.030 and Title 29A RCW.

29 The special assessment provided for herein shall be due and
30 payable at such times and in such amounts as designated by the
31 district directors, which designation shall be made to the county
32 auditor in writing, and the amount so designated shall be added to
33 the general taxes, and entered upon the assessment rolls in his or
34 her office, and collected therewith.

35 **PART V**

36 **CONSERVATION DISTRICTS**

1 **Sec. 501.** RCW 89.08.110 and 1999 c 305 s 3 are each amended to
2 read as follows:

3 If the commission finds that the district is needed, it shall
4 then determine whether it is practicable. To assist the commission in
5 determining this question, it shall, within a reasonable time,
6 request a special election, consistent with RCW 29A.04.330, to submit
7 the proposition to a vote of the district electors in the proposed
8 district. (~~The commission shall fix the date of the election,~~
9 ~~designate the polling places, fix the hours for opening and closing~~
10 ~~the polls, and appoint the election officials. The election shall be~~
11 ~~conducted, the vote counted and returns canvassed and the results~~
12 ~~published by the commission.)) The election shall be conducted
13 consistent with Title 29A RCW.~~

14 **Sec. 502.** RCW 89.08.120 and 1973 1st ex.s. c 184 s 13 are each
15 amended to read as follows:

16 The (~~commission shall provide the~~) ballots for the election
17 (~~which~~) shall contain the words

18 " For creation of a conservation district of the lands below
19 described and lying in the county or counties
20 of, and," and

21 " Against creation of a conservation district of the lands below
22 described and lying in the county or counties
23 of, and"

24 The ballot shall set forth the boundaries of the proposed
25 district, and contain a direction to (~~insert an X in~~) mark the
26 square of the voter's choice.

27 **Sec. 503.** RCW 89.08.130 and 1999 c 305 s 4 are each amended to
28 read as follows:

29 The commission shall give due notice of the election, which shall
30 state generally the purpose of the election(~~(r)~~) and the date
31 thereof, (~~the place and hours of voting~~) and set forth the
32 boundaries of the proposed district.

33 Only qualified district electors within the proposed district
34 (~~as determined by the commission~~) may vote at the election. (~~Each~~
35 ~~voter shall vote in the polling place nearest the voter's~~
36 ~~residence.)) For purposes of this section, a qualified district~~

1 elector is a natural person who is a registered voter under general
2 state election laws and who resides in the proposed district.

3 **Sec. 504.** RCW 89.08.140 and 1973 1st ex.s. c 184 s 15 are each
4 amended to read as follows:

5 The commission shall bear all expense of giving the notices and
6 conducting the hearings (~~and election~~), and shall issue regulations
7 governing all hearings (~~and elections~~) and supervise the conduct
8 thereof. (~~It shall provide for registration of eligible voters or~~
9 ~~prescribe the procedure to determine the eligible voters. No~~
10 ~~informality in connection with the election shall invalidate the~~
11 ~~results, if the notice thereof was substantially given, and the~~
12 ~~election fairly conducted.)) The costs associated with holding
13 elections are governed by RCW 29A.04.410.~~

14 **Sec. 505.** RCW 89.08.160 and 1973 1st ex.s. c 184 s 17 are each
15 amended to read as follows:

16 If the commission finds the project practicable, it shall
17 (~~appoint two supervisors, one of whom shall be a landowner or~~
18 ~~operator of a farm, who shall be qualified by training and experience~~
19 ~~to perform the specialized skilled services required of them. They,~~
20 ~~with the three elected supervisors, two of whom shall be landowners~~
21 ~~or operators of a farm, shall constitute the governing board of the~~
22 ~~district.~~

23 ~~The two appointed supervisors shall)) file with the secretary of~~
24 ~~state ((a sworn application, reciting that a petition was filed with~~
25 ~~the commission for the creation of the district; that all required~~
26 ~~proceedings were had thereon; that they were appointed by the~~
27 ~~commission as such supervisors; and that the application is being~~
28 ~~filed to complete the organization of the district. It shall contain~~
29 ~~the names and residences of the applicants, a certified copy of their~~
30 ~~appointments, the name of the district, the location of the office of~~
31 ~~the supervisors and the term of office of each applicant.~~

32 ~~The application shall be accompanied by)) a statement of the~~
33 ~~commission, reciting that a petition was filed, notice issued, and a~~
34 ~~hearing held thereon as required; that it determined the need for the~~
35 ~~district and defined the boundaries thereof; that notice was given~~
36 ~~and an election held on the question of creating the district; that a~~
37 ~~majority vote favored the district, and that the commission had~~

1 determined the district practicable; and shall set forth the
2 boundaries of the district.

3 **Sec. 506.** RCW 89.08.190 and 2002 c 43 s 3 are each amended to
4 read as follows:

5 Within thirty days after the issuance of the certificate of
6 organization, unless the time is extended by the commission,
7 petitions shall be filed with the commission to nominate candidates
8 for the ~~((three))~~ five elected supervisors. The petition shall be
9 signed by not less than twenty-five district electors, and a district
10 elector may sign petitions nominating more than one person.

11 In the case of a new district, the commission shall give due
12 notice to elect the ~~((three))~~ five supervisors. All provisions
13 pertaining to elections ~~((on the creation of a district))~~ under Title
14 29A RCW shall govern this election ~~((so far as applicable))~~, except
15 no primary shall be held for the initial election of supervisors. The
16 names of all nominees shall appear on the ballot in alphabetical
17 order, together with instructions to vote for ~~((three))~~ five. The
18 ~~((three))~~ five candidates receiving the most votes shall be declared
19 elected supervisors, the ~~((one))~~ two receiving the most being elected
20 for a ~~((three-year))~~ four-year term, ~~((the next for two))~~ and the
21 ~~((last))~~ next three for ~~((one-year))~~ two years. An alternate method
22 of dividing the district into ~~((three))~~ five zones with populations
23 as nearly equal as practicable may be used when requested by the
24 board of supervisors and approved by the commission. In such case,
25 instructions will be to vote for one in each zone. The candidate
26 receiving the most votes in a zone shall be declared elected.

27 ~~((Each year after the creation of the first board of supervisors,~~
28 ~~the board shall by resolution and by giving due notice, set a date~~
29 ~~during the first quarter of each calendar year at which time it shall~~
30 ~~conduct an election, except that for elections in 2002 only, the~~
31 ~~board shall set the date during the second quarter of the calendar~~
32 ~~year at which time it shall conduct an election. Names of candidates~~
33 ~~nominated by petition shall appear in alphabetical order on the~~
34 ~~ballots, together with an extra line wherein may be written in the~~
35 ~~name of any other candidate. The commission shall establish~~
36 ~~procedures for elections, canvass the returns and announce the~~
37 ~~official results thereof. Election results may be announced by~~
38 ~~polling officials at the close of the election subject to official~~

1 ~~canvass of ballots by the commission.))~~ Supervisors elected shall
2 take office at the first board meeting following the election.

3 NEW SECTION. **Sec. 507.** Whenever, as a result of the application
4 of sections 505 and 506 of this act, an appointed supervisor position
5 becomes an elected position, the appointed supervisor shall continue
6 to serve:

7 (1) If the term is scheduled to end in an even-numbered year,
8 through the end of that year. An election for the successor shall be
9 held at the general election in the November prior to the end of the
10 term; or

11 (2) If the term is scheduled to end in an odd-numbered year,
12 until a successor is elected in the next general election following
13 the scheduled end of the term and is qualified and assumes office in
14 accordance with RCW 29A.60.280.

15 **Sec. 508.** RCW 89.08.200 and 2013 c 23 s 550 are each amended to
16 read as follows:

17 After the creation of the first board of supervisors, subsequent
18 elections for new supervisors are governed by Title 29A RCW, and a
19 primary shall be held. The term of office of each supervisor shall be
20 ((three)) four years and until his or her successor is ((appointed
21 or)) elected and qualified((, except that the supervisors first
22 appointed shall serve for one and two years respectively from the
23 date of their appointments, as designated in their appointments.

24 ~~In the case of elected supervisors, the term of office of each~~
25 ~~supervisor shall be three years and until his or her successor is~~
26 ~~elected and qualified, except that for the first election, the one~~
27 ~~receiving the largest number of votes shall be elected for three~~
28 ~~years; the next largest two years; and the third largest one year.~~
29 ~~Successors shall be elected for three-year terms.~~

30 ~~Vacancies in the office of appointed supervisors shall be filled~~
31 ~~by the state conservation commission)).~~ Vacancies in the office of
32 elected supervisors shall be filled by appointment made by the
33 remaining supervisors for the unexpired term.

34 A majority of the supervisors shall constitute a quorum and the
35 concurrence of a majority is required for any official action or
36 determination.

37 Supervisors shall serve without compensation, but they shall be
38 entitled to expenses, including traveling expenses, necessarily

1 incurred in discharge of their duties. A supervisor may be removed by
2 the state conservation commission upon notice and hearing, for
3 neglect of duty or malfeasance in office, but for no other reason.

4 The governing board shall designate a chair from time to time.

5 **PART VI**

6 **REPEALERS**

7 NEW SECTION. **Sec. 601.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 85.38.110 (Presumed eligible voters' list—Notice of
10 requirements of voting authority—Copy of voter's list to county
11 auditor) and 1991 c 349 s 13 & 1985 c 396 s 12;

12 (2) RCW 85.38.125 (Elections—Auditor to conduct) and 2011 c 10 s
13 83 & 1991 c 349 s 15;

14 (3) RCW 85.38.130 (Election officials—Duties—Voting hours—
15 Challenged ballots—Absentee ballots) and 1991 c 349 s 16 & 1985 c 396
16 s 14;

17 (4) RCW 86.09.377 (Voting rights) and 1991 c 349 s 4 & 1985 c 396
18 s 22;

19 (5) RCW 86.09.379 (Elections—Informality not fatal) and 1937 c 72
20 s 127;

21 (6) RCW 87.03.031 (Absentee voting—Certification of
22 inconvenience) and 2013 c 23 s 481 & 1961 c 105 s 2;

23 (7) RCW 87.03.032 (Absentee voting—Notice of election, contents—
24 Ballot and form of certificate of qualifications to be furnished) and
25 2013 c 23 s 482 & 1961 c 105 s 3;

26 (8) RCW 87.03.033 (Absentee voting—Requirements for ballot to be
27 counted—Statement of qualifications—Form of ballot) and 2013 c 23 s
28 483 & 1961 c 105 s 4;

29 (9) RCW 87.03.034 (Absentee voting—How incoming ballots are
30 handled—Canvass—Statement of result of both regular and absentee
31 ballots) and 1961 c 105 s 5;

32 (10) RCW 87.03.035 (Elections to form district—How conducted) and
33 1955 c 57 s 2;

34 (11) RCW 87.03.045 (Qualifications of voters and directors—
35 Districts of two hundred thousand acres) and 2013 c 23 s 484, 1985 c
36 66 s 1, 1971 ex.s. c 292 s 72, 1961 c 192 s 12, & 1955 c 57 s 4;

- 1 (12) RCW 87.03.051 (Qualifications of voters and directors—
2 Districts of less than two hundred thousand acres) and 1997 c 354 s 1
3 & 1985 c 66 s 2;
- 4 (13) RCW 87.03.071 (Certain districts—Individual ownerships—Two
5 votes) and 1985 c 66 s 3;
- 6 (14) RCW 87.03.085 (Post-organization district elections—Election
7 boards—Notice) and 1987 c 123 s 1, 1984 c 168 s 2, & 1889-90 p 674 s
8 5;
- 9 (15) RCW 87.03.090 (Post-organization district elections—Election
10 officers—Voting hours) and 2013 c 23 s 489, 1931 c 60 s 1, & 1889-90
11 p 674 s 6;
- 12 (16) RCW 87.03.095 (Post-organization district elections—Counting
13 votes—Record of ballots) and 1889-90 p 675 s 7;
- 14 (17) RCW 87.03.100 (Post-organization district elections—
15 Certification of returns—Preservation for recount) and 2013 c 23 s
16 490, 1981 c 345 s 2, 1981 c 208 s 2, 1889-90 p 675 s 8;
- 17 (18) RCW 87.03.105 (Post-organization district elections—Canvass)
18 and 1889-90 p 676 s 9;
- 19 (19) RCW 87.03.110 (Post-organization district elections—
20 Statement of result of election—Certificate of election) and 2013 c
21 23 s 491, 1913 c 165 s 4, 1895 c 165 s 4, & 1889-90 p 676 s 10;
- 22 (20) RCW 87.53.060 (Election returns, effect—Records to auditor)
23 and 1951 c 237 s 6;
- 24 (21) RCW 42.17A.010 (Conservation district exception) and 2002 c
25 43 s 4; and
- 26 (22) 2002 c 43 s 1 (uncodified).

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28

PART VII
APPLICATION DATES

- 29 NEW SECTION. **Sec. 701.** (1) Sections 102 through 601 of this act
30 apply to special districts according to the following timeline:
- 31 (a) For districts affected by this act that have an annual
32 budget, as of the effective date of this act, equal to or greater
33 than five million dollars, beginning with the effective date of this
34 act;
- 35 (b) For districts affected by this act that have an annual
36 budget, as of the effective date of this act, equal to or greater

1 than one million and five hundred thousand dollars but less than five
2 million dollars, beginning with the 2024 general election cycle; and

3 (c) For districts affected by this act that have an annual
4 budget, as of the effective date of this act, less than one million
5 and five hundred thousand dollars, beginning with the 2028 general
6 election cycle.

7 (2) Prior to the applicable application date provided in this
8 section, the districts shall hold elections according to the law as
9 it existed on January 1, 2020.

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