
SUBSTITUTE HOUSE BILL 1806

State of Washington 64th Legislature 2015 Regular Session

By House State Government (originally sponsored by Representatives Van Werven, Bergquist, Holy, Appleton, Gregory, and S. Hunt)

1 AN ACT Relating to correcting references to elections statutes;
2 amending RCW 3.34.050, 14.08.304, 27.12.100, 27.15.020, 27.15.050,
3 28A.315.275, 28A.320.410, 28A.323.050, 28A.343.010, 28A.343.330,
4 28A.343.350, 28A.343.670, 28A.535.030, 35.02.078, 35.02.100,
5 35.02.139, 35.06.080, 35.07.050, 35.10.410, 35.10.420, 35.13.060,
6 35.13.080, 35.13.090, 35.16.030, 35.16.050, 35.17.260, 35.17.310,
7 35.17.400, 35.18.020, 35.20.100, 35.21.203, 35.22.055, 35.22.200,
8 35.22.235, 35.22.245, 35.23.051, 35.23.805, 35.23.850, 35.30.080,
9 35.61.030, 35.61.050, 35.61.270, 35.95A.100, 35A.02.025, 35A.02.050,
10 35A.02.060, 35A.07.050, 35A.08.100, 35A.12.040, 35A.12.180,
11 35A.14.050, 35A.29.120, 35A.29.130, 35A.29.180, 35A.42.050,
12 35A.56.010, 36.16.020, 36.16.030, 36.22.220, 36.32.030, 36.32.0558,
13 36.32.070, 36.69.070, 36.69.090, 36.105.050, 39.36.050, 43.07.140,
14 43.135.060, 46.20.205, 52.04.011, 52.06.030, 52.14.060, 52.14.070,
15 53.04.020, 53.04.080, 53.12.130, 53.12.172, 53.12.221, 53.16.015,
16 53.36.070, 53.36.100, 54.08.060, 54.40.070, 57.04.140, 57.12.030,
17 57.12.039, 57.24.190, 67.38.130, 68.52.250, 70.44.047, 70.44.056,
18 80.36.390, 80.52.050, 82.14.036, 82.46.021, 82.80.090, 85.38.060,
19 85.38.070, 86.15.050, and 87.03.083; and reenacting and amending RCW
20 28A.343.030, 28A.343.320, and 28A.343.660.

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

1 **Sec. 1.** RCW 3.34.050 and 1998 c 19 s 2 are each amended to read
2 as follows:

3 At the general election in November 1962 and quadrennially
4 thereafter, there shall be elected by the voters of each district
5 court district the number of judges authorized for the district by
6 the district court districting plan. Judges shall be elected for each
7 district and electoral district, if any, by the qualified electors of
8 the district in the same manner as judges of courts of record are
9 elected, except as provided in chapter ((29.21)) 29A.52 RCW. Not less
10 than ten days before the time for filing declarations of candidacy
11 for the election of judges for districts entitled to more than one
12 judge, the county auditor shall designate each such office of
13 district judge to be filled by a number, commencing with the number
14 one and numbering the remaining offices consecutively. At the time of
15 the filing of the declaration of candidacy, each candidate shall
16 designate by number which one, and only one, of the numbered offices
17 for which he or she is a candidate and the name of the candidate
18 shall appear on the ballot for only the numbered office for which the
19 candidate filed a declaration of candidacy.

20 **Sec. 2.** RCW 14.08.304 and 1994 c 223 s 4 are each amended to
21 read as follows:

22 The board of airport district commissioners shall consist of
23 three members. The first commissioners shall be appointed by the
24 county legislative authority. At the next general district election,
25 held as provided in RCW ((29.13.020)) 29A.04.330, three airport
26 district commissioners shall be elected. The terms of office of
27 airport district commissioners shall be two years, or until their
28 successors are elected and qualified and have assumed office in
29 accordance with RCW ((29.04.170)) 29A.60.280. Members of the board of
30 airport district commissioners shall be elected at each regular
31 district general election on a nonpartisan basis in accordance with
32 the general election law. Vacancies on the board of airport district
33 commissioners shall occur and shall be filled as provided in chapter
34 42.12 RCW. Members of the board of airport district commissioners
35 shall receive no compensation for their services, but shall be
36 reimbursed for actual necessary traveling and sustenance expenses
37 incurred while engaged on official business.

1 **Sec. 3.** RCW 27.12.100 and 1965 c 63 s 1 are each amended to read
2 as follows:

3 An intercounty rural library district shall be established by
4 joint action of two or more counties proceeding by either of the
5 following alternative methods:

6 (1) The boards of county commissioners of any two or more
7 counties shall adopt identical resolutions proposing the formation of
8 such a district to include all of the areas outside of incorporated
9 cities or towns in such counties as may be designated in such
10 resolutions. In lieu of such resolutions a petition of like purport
11 signed by ten percent of the registered voters residing outside of
12 incorporated cities or towns of a county, may be filed with the
13 county auditor thereof, and shall have the same effect as a
14 resolution. The proposition for the formation of the district as
15 stated on the petition shall be prepared by the attorney general upon
16 request of the state library commission. Action to initiate the
17 formation of such a district shall become ineffective in any county
18 if corresponding action is not completed within one year thereafter
19 by each other county included in such proposal. The county auditor in
20 each county shall check the validity of the signatures on the
21 petition and shall certify to the board of county commissioners the
22 sufficiency of the signatures. If each petition contains the
23 signatures of ten percent of the registered voters residing outside
24 the incorporated cities and towns of the county, each board of county
25 commissioners shall pass a resolution calling an election for the
26 purpose of submitting the question to the voters and setting the date
27 of said election. When such action has been taken in each of the
28 counties involved, notification shall be made by each board of county
29 commissioners to the board of county commissioners of the county
30 having the largest population according to the last federal census,
31 who shall give proper notification to each county auditor. At the
32 next general or special election held in the respective counties
33 there shall be submitted to the voters in the areas outside of
34 incorporated cities and towns a question as to whether an intercounty
35 rural library district shall be established as outlined in the
36 resolutions or petitions. Notice of said election shall be given by
37 the county auditor (~~pursuant to RCW 29.27.080. The county auditor~~
38 ~~shall provide for the printing of a separate ballot and shall provide~~
39 ~~for the distribution of ballots to the polling places pursuant to RCW~~
40 ~~29.04.020~~)). The county auditor shall instruct the election boards in

1 split precincts. The respective county canvassing boards in each
2 county to be included within the intercounty rural library district
3 shall canvass the votes and certify the results to the county auditor
4 pursuant to chapter ((29.62)) 29A.60 RCW; the result shall then be
5 certified by each county auditor to the county auditor of the county
6 having the largest population according to the last federal census.
7 If a majority of the electors voting on the proposition in each of
8 the counties affected shall vote in favor of such district it shall
9 thereby become established, and the board of county commissioners of
10 the county having the largest population according to the last
11 federal census shall declare the intercounty rural library district
12 established. If two or more of the counties affected are in an
13 existing intercounty rural library district, then the electors in
14 areas outside incorporated cities and towns in those counties shall
15 vote as a unit and the electors in areas outside incorporated cities
16 and towns in each of the other affected counties shall vote as
17 separate units. If a majority of the electors voting on the
18 proposition in the existing district and a majority of the voters in
19 any of the other affected counties shall vote in favor of an expanded
20 intercounty rural library district it shall thereby become
21 established.

22 (2) The county commissioners of two or more counties meeting in
23 joint session attended by a majority of the county commissioners of
24 each county may, by majority vote of those present, order the
25 establishment of an intercounty rural library district to include all
26 of the area outside of incorporated cities and towns in as many of
27 the counties represented at such joint meeting as shall be determined
28 by resolution of such joint meeting. If two or more counties are in
29 an existing intercounty rural library district, then a majority vote
30 of all of the commissioners present from those counties voting as a
31 unit, and a majority vote of the commissioners present from any other
32 county shall cause the joint session to order the establishment of an
33 expanded intercounty rural library district. No county, however,
34 shall be included in such district if a majority of its county
35 commissioners vote against its inclusion in such district.

36 **Sec. 4.** RCW 27.15.020 and 1996 c 258 s 1 are each amended to
37 read as follows:

38 Upon receipt of a completed written request to both establish a
39 library capital facility area and submit a ballot proposition under

1 RCW 27.15.050 to finance library capital facilities, that is signed
2 by a majority of the members of the board of trustees of a library
3 district or board of trustees of a city or town library, the county
4 legislative authority or county legislative authorities for the
5 county or counties in which a proposed library capital facility area
6 is to be established shall submit separate ballot propositions to
7 voters to authorize establishing the proposed library capital
8 facility area and authorizing the library capital facility area, if
9 established, to finance library capital facilities by issuing general
10 indebtedness and imposing excess levies to retire the indebtedness.
11 The ballot propositions shall be submitted to voters at a general or
12 special election. If the proposed election date is not a general
13 election, the county legislative authority is encouraged to request
14 an election when another unit of local government with territory
15 located in the proposed library capital facility area is already
16 holding a special election under RCW ((29.13.020)) 29A.04.330.
17 Approval of the ballot proposition to create a library capital
18 facility area shall be by a simple majority vote.

19 A completed request submitted under this section shall include:
20 (1) A description of the boundaries of the library capital facility
21 area; and (2) a copy of the resolution of the legislative authority
22 of each city or town, and board of trustees of each library district,
23 with territory included within the proposed library capital facility
24 area indicating both: (a) Its approval of the creation of the
25 proposed library capital facility area; and (b) agreement on how
26 election costs will be paid for submitting ballot propositions to
27 voters that authorize the library capital facility area to incur
28 general indebtedness and impose excess levies to retire the general
29 indebtedness.

30 **Sec. 5.** RCW 27.15.050 and 1996 c 258 s 2 are each amended to
31 read as follows:

32 (1) A library capital facility area may contract indebtedness or
33 borrow money to finance library capital facilities and may issue
34 general obligation bonds for such purpose not exceeding an amount,
35 together with any existing indebtedness of the library capital
36 facility area, equal to one and one-quarter percent of the value of
37 the taxable property in the district and impose excess property tax
38 levies to retire the general indebtedness as provided in RCW
39 39.36.050 if a ballot proposition authorizing both the indebtedness

1 and excess levies is approved by at least three-fifths of the voters
2 of the library capital facility area voting on the proposition, and
3 the total number of voters voting on the proposition constitutes not
4 less than forty percent of the total number of voters in the library
5 capital facility area voting at the last preceding general election.
6 The term "value of the taxable property" has the meaning set forth in
7 RCW 39.36.015. Such a proposition shall be submitted to voters at a
8 general or special election and may be submitted to voters at the
9 same election as the election when the ballot proposition authorizing
10 the establishing of the library capital facility area is submitted.
11 If the proposed election date is not a general election, the county
12 legislative authority is encouraged to request an election when
13 another unit of local government with territory located in the
14 proposed library capital facility area is already holding a special
15 election under RCW ((~~29.13.020~~)) 29A.04.330.

16 (2) A library capital facility area may accept gifts or grants of
17 money or property of any kind for the same purposes for which it is
18 authorized to borrow money in subsection (1) of this section.

19 **Sec. 6.** RCW 28A.315.275 and 1999 c 315 s 704 are each amended to
20 read as follows:

21 Notice of special elections as provided for in RCW 28A.315.265
22 shall be given by the county auditor as provided in RCW ((~~29.27.080~~))
23 29A.52.355. The notice of election shall state the purpose for which
24 the election has been called and contain a description of the
25 boundaries of the proposed new district and a statement of any terms
26 of adjustment of bonded indebtedness on which to be voted.

27 **Sec. 7.** RCW 28A.320.410 and 1969 ex.s. c 223 s 28A.58.521 are
28 each amended to read as follows:

29 All school district elections, regular or special, shall be
30 conducted according to the election laws of the state as contained in
31 Title 29A RCW, and in the event of a conflict as to the application
32 of the laws of this title or Title 29A RCW, the latter shall prevail.

33 **Sec. 8.** RCW 28A.323.050 and 1990 c 33 s 311 are each amended to
34 read as follows:

35 The registered voters residing within a joint school district
36 shall be entitled to vote on the office of school director of their
37 district.

1 Jurisdiction of any such election shall rest with the county
2 auditor of the county administering such joint district as provided
3 in RCW (~~(28A.315.380)~~) 28A.323.040.

4 At each general election, or upon approval of a request for a
5 special election as provided for in RCW (~~(29.13.020)~~) 29A.04.330,
6 such county auditor shall:

7 (1) See that there shall be at least one polling place in each
8 county;

9 (2) At least twenty days prior to the elections concerned,
10 certify in writing to the superintendent of the school district the
11 number and location of the polling places established by such auditor
12 for such regular or special elections; and

13 (3) Do all things otherwise required by law for the conduct of
14 such election.

15 It is the intention of this section that the qualified electors
16 of a joint school district shall not be forced to go to a different
17 polling place on the same day when other elections are being held to
18 vote for school directors of their district.

19 **Sec. 9.** RCW 28A.343.010 and 1990 c 33 s 317 are each amended to
20 read as follows:

21 Whenever the directors to be elected in a school district that is
22 not divided into directors' districts are not all to be elected for
23 the same term of years, the county auditor shall distinguish them and
24 designate the same as provided for in RCW (~~(29.21.140)~~) 29A.24.020,
25 and assign position numbers thereto as provided in RCW
26 (~~(28A.315.470)~~) 28A.343.320 and each candidate shall indicate on his
27 or her declaration of candidacy the term for which he or she seeks to
28 be elected and position number for which he or she is filing. The
29 candidate receiving the largest number of votes for each position
30 shall be deemed elected.

31 **Sec. 10.** RCW 28A.343.030 and 1991 c 363 s 23 and 1991 c 288 s 4
32 are each reenacted and amended to read as follows:

33 The board of directors of every first-class school district other
34 than a school district of the first class having within its
35 boundaries a city with a population of four hundred thousand people
36 or more which is not divided into directors' districts may submit to
37 the voters at any regular school district election a proposition to
38 authorize the board of directors to divide the district into

1 directors' districts or for second-class school districts into
2 director districts or a combination of no fewer than three director
3 districts and no more than two at large positions. If a majority of
4 the votes cast on the proposition is affirmative, the board of
5 directors shall proceed to divide the district into directors'
6 districts following the procedure established in RCW ((~~29.70.100~~))
7 29A.76.010. Such director districts, if approved, shall not become
8 effective until the next regular school election when a new five
9 member board of directors shall be elected, one from each of the
10 director districts from among the residents of the respective
11 director district, or from among the residents of the entire school
12 district in the case of directors at large, by the electors of the
13 entire district, two for a term of two years and three for a term of
14 four years, unless such district elects its directors for six years,
15 in which case, one for a term of two years, two for a term of four
16 years, and two for a term of six years.

17 **Sec. 11.** RCW 28A.343.320 and 1990 c 161 s 4 and 1990 c 59 s 98
18 are each reenacted and amended to read as follows:

19 Candidates for the position of school director shall file their
20 declarations of candidacy as provided in Title 29A RCW.

21 The positions of school directors in each district shall be dealt
22 with as separate offices for all election purposes, and where more
23 than one position is to be filled, each candidate shall file for one
24 of the positions so designated: PROVIDED, That in school districts
25 containing director districts, or a combination of director districts
26 and director at large positions, candidates shall file for such
27 director districts or at large positions. Position numbers shall be
28 assigned to correspond to director district numbers to the extent
29 possible.

30 **Sec. 12.** RCW 28A.343.330 and 1969 ex.s. c 223 s 28A.57.316 are
31 each amended to read as follows:

32 Except as provided in RCW ((~~29.21.010~~)) 29A.52.210, the positions
33 of school directors and the candidates therefor shall appear
34 separately on the nonpartisan ballot in substantially the following
35 form:

36 SCHOOL DIRECTOR ELECTION BALLOT

37 District No.

Date

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

Position No. 1

Vote for One

-
-
-

Position No. 2

Vote for One

-
-
-

To Fill Unexpired Term

Position No. 3

2 (or 4) year term

Vote for One

-
-
-

The names of candidates shall appear upon the ballot in order of filing for each position. There shall be no rotation of names in the printing of such ballots.

Sec. 13. RCW 28A.343.350 and 1999 c 194 s 1 are each amended to read as follows:

Notwithstanding RCW 42.12.010(4), a school director elected from a director district may continue to serve as a director from the district even though the director no longer resides in the director

1 district, but continues to reside in the school district, under the
2 following conditions:

3 (1) If, as a result of redrawing the director district
4 boundaries, the director no longer resides in the director district,
5 the director shall retain his or her position for the remainder of
6 his or her term of office; and

7 (2) If, as a result of the director changing his or her place of
8 residence the director no longer resides in the director district,
9 the director shall retain his or her position until a successor is
10 elected and assumes office as follows: (a) If the change in residency
11 occurs after the opening of the regular filing period provided under
12 RCW ((~~29.15.020~~)) 29A.24.050, in the year two years after the
13 director was elected to office, the director shall remain in office
14 for the remainder of his or her term of office; or (b) if the change
15 in residency occurs prior to the opening of the regular filing period
16 provided under RCW ((~~29.15.020~~)) 29A.24.050, in the year two years
17 after the director was elected to office, the director shall remain
18 in office until a successor assumes office who has been elected to
19 serve the remainder of the unexpired term of office at the school
20 district general election held in that year.

21 **Sec. 14.** RCW 28A.343.660 and 1991 c 363 s 28 and 1991 c 288 ss 5
22 and 6 are each reenacted and amended to read as follows:

23 Notwithstanding any other provision of law, any school district
24 of the first class having within its boundaries a city with a
25 population of four hundred thousand people or more shall be divided
26 into seven director districts. The boundaries of such director
27 districts shall be established by the members of the school board,
28 such boundaries to be established so that each such district shall
29 comply, as nearly as practicable, with the criteria established in
30 RCW ((~~29.70.100~~)) 29A.76.010. Boundaries of such director districts
31 shall be adjusted by the school board following the procedure
32 established in RCW ((~~29.70.100~~)) 29A.76.010 after each federal
33 decennial census if population change shows the need thereof to
34 comply with the criteria of RCW ((~~29.70.100~~)) 29A.76.010. No person
35 shall be eligible for the position of school director in any such
36 director district unless such person resides in the particular
37 director district. Residents in the particular director district
38 desiring to be a candidate for school director shall file their
39 declarations of candidacy for such director district and for the

1 position of director in that district and shall be voted upon, in any
2 primary required to be held for the position under Title 29A RCW, by
3 the registered voters of that particular director district. In the
4 general election, each position shall be voted upon by all the
5 registered voters in the school district. The order of the names of
6 candidates shall appear on the primary and general election ballots
7 as required for nonpartisan positions under Title 29A RCW. Except as
8 provided in RCW ((~~28A.315.680~~)) 28A.343.670, every such director so
9 elected in school districts divided into seven director districts
10 shall serve for a term of four years as otherwise provided in RCW
11 ((~~28A.315.460~~)) 28A.343.610.

12 **Sec. 15.** RCW 28A.343.670 and 1995 c 335 s 106 are each amended
13 to read as follows:

14 The school boards of any school district of the first class
15 having within its boundaries a city with a population of four hundred
16 thousand people or more shall establish the director district
17 boundaries. Appointment of a board member to fill any vacancy
18 existing for a new director district prior to the next regular school
19 election shall be by the school board. Prior to the next regular
20 election in the school district and the filing of declarations of
21 candidacy therefor, the incumbent school board shall designate said
22 director districts by number. Directors appointed to fill vacancies
23 as above provided shall be subject to election, one for a six-year
24 term, and one for a two-year term and thereafter the term of their
25 respective successors shall be for four years. The term of office of
26 incumbent members of the board of such district shall not be affected
27 by RCW ((~~28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, and~~
28 ~~28A.315.680~~)) 28A.343.300, 28A.343.600, 28A.343.610, 28A.343.660, and
29 28A.343.670.

30 **Sec. 16.** RCW 28A.535.030 and 1990 c 33 s 482 are each amended to
31 read as follows:

32 At the time of the adoption of the resolution provided for in RCW
33 28A.535.020, the board of directors shall direct the school district
34 superintendent to give notice to the county auditor of the suggested
35 time and purpose of such election, and specifying the amount and
36 general character of the indebtedness proposed to be ratified. Such
37 superintendent shall also cause written or printed notices to be
38 posted in at least five places in such school district at least

1 twenty days before such election. In addition to his or her other
2 duties relating thereto, the county auditor shall give notice of such
3 election as provided for in RCW (~~(29.27.080)~~) 29A.52.355.

4 **Sec. 17.** RCW 35.02.078 and 1994 c 216 s 18 are each amended to
5 read as follows:

6 An election shall be held in the area proposed to be incorporated
7 to determine whether the proposed city or town shall be incorporated
8 when the boundary review board takes action on the proposal other
9 than disapproving the proposal, or if the county legislative
10 authority does not disapprove the proposal as provided in RCW
11 35.02.070. Voters at this election shall determine if the area is to
12 be incorporated.

13 The initial election on the question of incorporation shall be
14 held at the next special election date specified in RCW (~~(29.13.020)~~)
15 29A.04.330 that occurs sixty or more days after the final public
16 hearing by the county legislative authority or authorities, or action
17 by the boundary review board or boards. The county legislative
18 authority or authorities shall call for this election and, if the
19 incorporation is approved, shall call for other elections to elect
20 the elected officials as provided in this section. If the vote in
21 favor of the incorporation receives forty percent or less of the
22 total vote on the question of incorporation, no new election on the
23 question of incorporation for the area or any portion of the area
24 proposed to be incorporated may be held for a period of three years
25 from the date of the election in which the incorporation failed.

26 If the incorporation is authorized as provided by RCW 35.02.120,
27 separate elections shall be held to nominate and elect persons to
28 fill the various elective offices prescribed by law for the
29 population and type of city or town, and to which it will belong. The
30 primary election to nominate candidates for these elective positions
31 shall be held at the next special election date, as specified in RCW
32 (~~(29.13.020)~~) 29A.04.330, that occurs sixty or more days after the
33 election on the question of incorporation. The election to fill these
34 elective positions shall be held at the next special election date,
35 as specified in RCW (~~(29.13.020)~~) 29A.04.330, that occurs thirty or
36 more days after certification of the results of the primary election.

37 **Sec. 18.** RCW 35.02.100 and 1986 c 234 s 13 are each amended to
38 read as follows:

1 The notice of election on the question of the incorporation shall
2 be given as provided by RCW ((~~29.27.080~~ but)) 29A.52.355 and shall
3 ((~~further~~)) describe the boundaries of the proposed city or town, its
4 name, and the number of inhabitants ascertained by the county
5 legislative authority or the boundary review board to reside in it.

6 **Sec. 19.** RCW 35.02.139 and 1994 c 223 s 9 are each amended to
7 read as follows:

8 An election shall be held to elect city or town elected officials
9 at the next municipal general election occurring more than twelve
10 months after the date of the first election of councilmembers or
11 commissioners. Candidates shall run for specific council or
12 commission positions. The staggering of terms of members of the city
13 or town council shall be established at this election, where the
14 simple majority of the persons elected as councilmembers receiving
15 the greatest numbers of votes shall be elected to four-year terms of
16 office and the remainder of the persons elected as councilmembers
17 shall be elected to two-year terms of office. Newly elected
18 councilmembers or newly elected commissioners shall serve until their
19 successors are elected and qualified. The terms of office of newly
20 elected commissioners shall not be staggered, as provided in chapter
21 35.17 RCW. All councilmembers and commissioners who are elected
22 subsequently shall be elected to four-year terms of office and shall
23 serve until their successors are elected and qualified and assume
24 office in accordance with RCW ((~~29.04.170~~)) 29A.60.280.

25 **Sec. 20.** RCW 35.06.080 and 1994 c 81 s 9 are each amended to
26 read as follows:

27 The first election of officers of the new corporation after the
28 advancement of classification is approved shall be at the next
29 general municipal election and the officers of the old corporation,
30 as altered by the election when the advancement was approved, shall
31 remain in office until the officers of the new corporation are
32 elected and qualified and assume office in accordance with RCW
33 ((~~29.04.170~~)) 29A.60.280. A primary shall be held where necessary to
34 nominate candidates for the elected offices of the corporation as a
35 second-class city. Candidates for city council positions shall run
36 for specific council positions. The council of the old corporation
37 may adopt a resolution providing that the offices of city attorney,
38 clerk, and treasurer are appointive.

1 The three persons who are elected to council positions one
2 through six receiving the greatest number of votes shall be elected
3 to four-year terms of office and the other three persons who are
4 elected to council positions one through six, and the person elected
5 to council position seven, shall be elected to two-year terms of
6 office. The person elected as mayor and the persons elected to any
7 other elected office shall be elected to four-year terms of office.
8 All successors to all elected positions, other than council position
9 number seven, shall be elected to four-year terms of office and
10 successors to council position number seven shall be elected to two-
11 year terms of office.

12 There shall be no election of town offices at this election when
13 the first officers of the new corporation are elected and the offices
14 of the town shall expire when the officers of the new corporation
15 assume office.

16 The ordinances, bylaws, and resolutions adopted by the old
17 corporation shall, as far as consistent with the provisions of this
18 title, continue in force until repealed by the council of the new
19 corporation.

20 The council and officers of the town shall, upon demand, deliver
21 to the proper officers of the new corporation all books of record,
22 documents, and papers in their possession belonging to the old
23 corporation.

24 **Sec. 21.** RCW 35.07.050 and 1965 c 7 s 35.07.050 are each amended
25 to read as follows:

26 Notice of such election shall be given (~~as provided in RCW~~
27 ~~29.27.080~~)).

28 **Sec. 22.** RCW 35.10.410 and 1985 c 281 s 4 are each amended to
29 read as follows:

30 The submission of a ballot proposal to the voters of two or more
31 contiguous cities for the consolidation of these contiguous cities
32 may be caused by the adoption of a joint resolution, by a majority
33 vote of each city legislative body, seeking consolidation of such
34 contiguous cities. The joint resolution shall provide for submission
35 of the question to the voters at the next general municipal election,
36 if one is to be held more than ninety days but not more than one
37 hundred eighty days after the passage of the joint resolution, or
38 shall call for a special election to be held for that purpose at the

1 next special election date, as specified in RCW ((~~29.13.020~~))
2 29A.04.330, that occurs ninety or more days after the passage of the
3 joint resolution. The legislative bodies of the cities also shall
4 notify the county legislative authority of each county in which the
5 cities are located of the proposed consolidation.

6 **Sec. 23.** RCW 35.10.420 and 1995 c 196 s 7 are each amended to
7 read as follows:

8 The submission of a ballot proposal to the voters of two or more
9 contiguous cities for the consolidation of these contiguous cities
10 may also be caused by the filing of a petition with the legislative
11 body of each such city, signed by the voters of each city in number
12 equal to not less than ten percent of voters who voted in the city at
13 the last general municipal election therein, seeking consolidation of
14 such contiguous cities. A copy of the petition shall be forwarded
15 immediately by each city to the auditor of the county or counties
16 within which that city is located.

17 The county auditor or auditors shall determine the sufficiency of
18 the signatures in each petition within ten days of receipt of the
19 copies and immediately notify the cities proposed to be consolidated
20 of the sufficiency. If each of the petitions is found to have
21 sufficient valid signatures, the auditor or auditors shall call a
22 special election at which the question of whether such cities shall
23 consolidate shall be submitted to the voters of each of such cities.
24 If a general election is to be held more than ninety days but not
25 more than one hundred eighty days after the filing of the last
26 petition, the question shall be submitted at that election. Otherwise
27 the question shall be submitted at a special election to be called
28 for that purpose at the next special election date, as specified in
29 RCW ((~~29.13.020~~)) 29A.04.330, that occurs ninety or more days after
30 the date when the last petition was filed.

31 If each of the petitions is found to have sufficient valid
32 signatures, the auditor or auditors also shall notify the county
33 legislative authority of each county in which the cities are located
34 of the proposed consolidation.

35 Petitions shall conform with the requirements for form prescribed
36 in RCW 35A.01.040, except different colored paper may be used on
37 petitions circulated in the different cities. A legal description of
38 the cities need not be included in the petitions.

1 **Sec. 24.** RCW 35.13.060 and 1989 c 351 s 2 are each amended to
2 read as follows:

3 Upon granting the petition under the twenty percent annexation
4 petition under the election method, and after the auditor has
5 certified the petition as being sufficient, the legislative body of
6 the city or town shall indicate to the county auditor its preference
7 for the date of the election on the annexation to be held, which
8 shall be one of the dates for special elections provided under RCW
9 (~~29.13.020~~) 29A.04.330 that is sixty or more days after the date
10 the preference is indicated. The county auditor shall call the
11 special election at the special election date indicated by the city
12 or town.

13 **Sec. 25.** RCW 35.13.080 and 1973 1st ex.s. c 164 s 7 are each
14 amended to read as follows:

15 Notice of an annexation election shall particularly describe the
16 boundaries of the area proposed to be annexed, describe the
17 boundaries of the proposed service area if the simultaneous creation
18 of a community municipal corporation is provided for, state the
19 objects of the election as prayed in the petition or as stated in the
20 resolution and require the voters to cast ballots which shall contain
21 the words "For annexation" and "Against annexation" or words
22 equivalent thereto, or contain the words "For annexation and adoption
23 of comprehensive plan" and "Against annexation and adoption of
24 comprehensive plan" or words equivalent thereto in case the
25 simultaneous adoption of a comprehensive plan is proposed, and, if
26 appropriate, the words "For creation of community municipal
27 corporation" and "Against creation of community municipal
28 corporation" or words equivalent thereto, or contain the words "For
29 annexation and creation of community municipal corporation" and
30 "Against annexation and creation of community municipal corporation"
31 or words equivalent thereto in case the simultaneous creation of a
32 community municipal corporation is proposed, and which in case the
33 assumption of indebtedness is proposed, shall contain as a separate
34 proposition, the words "For assumption of indebtedness" and "Against
35 assumption of indebtedness" or words equivalent thereto and if only a
36 portion of the indebtedness of the annexing city or town is to be
37 assumed, an appropriate separate proposition for and against the
38 assumption of such portion of the indebtedness shall be submitted to
39 the voters. If the creation of a community municipal corporation and

1 election of community councilmembers is provided for, the notice
2 shall also require the voters within the service area to cast ballots
3 for candidates for positions on such council. The notice shall be
4 posted for at least two weeks prior to the date of election in four
5 public places within the area proposed to be annexed and published in
6 accordance with the notice required by RCW ((~~29.27.080~~)) 29A.52.355
7 prior to the date of election in a newspaper of general circulation
8 in the area proposed to be annexed.

9 **Sec. 26.** RCW 35.13.090 and 1996 c 286 s 1 are each amended to
10 read as follows:

11 (1) The proposition for or against annexation or for or against
12 annexation and adoption of the comprehensive plan, or for or against
13 creation of a community municipal corporation, or any combination
14 thereof, as the case may be, shall be deemed approved if a majority
15 of the votes cast on that proposition are cast in favor of annexation
16 or in favor of annexation and adoption of the comprehensive plan, or
17 for creation of the community municipal corporation, or any
18 combination thereof, as the case may be.

19 (2) If a proposition for or against assumption of all or any
20 portion of indebtedness was submitted to the registered voters, it
21 shall be deemed approved if a majority of at least three-fifths of
22 the registered voters of the territory proposed to be annexed voting
23 on such proposition vote in favor thereof, and the number of
24 registered voters voting on such proposition constitutes not less
25 than forty percent of the total number of votes cast in such
26 territory at the last preceding general election.

27 (3) If either or both propositions were approved by the
28 registered voters, the county auditor shall on completion of the
29 canvassing of the returns transmit to the county legislative
30 authority and to the clerk of the city or town to which annexation is
31 proposed a certificate of the election results, together with a
32 certified abstract of the vote showing the whole number who voted at
33 the election, the number of votes cast for annexation and the number
34 cast against annexation or for annexation and adoption of the
35 comprehensive plan and the number cast against annexation and
36 adoption of the comprehensive plan or for creation of a community
37 municipal corporation and the number cast against creation of a
38 community municipal corporation, or any combination thereof, as the
39 case may be.

1 (4) If a proposition for assumption of all or of any portion of
2 indebtedness was submitted to the registered voters, the abstract
3 shall include the number of votes cast for assumption of indebtedness
4 and the number of votes cast against assumption of indebtedness,
5 together with a statement of the total number of votes cast in such
6 territory at the last preceding general election.

7 (5) If the proposition for creation of a community municipal
8 corporation was submitted and approved, the abstract shall include
9 the number of votes cast for the candidates for community council
10 positions and certificates of election shall be issued pursuant to
11 RCW ((~~29.27.100~~)) 29A.52.360 to the successful candidates who shall
12 assume office as soon as qualified.

13 **Sec. 27.** RCW 35.16.030 and 1994 c 273 s 3 are each amended to
14 read as follows:

15 The election returns shall be canvassed as provided in RCW
16 ((~~29.13.040~~)) 29A.60.010. If three-fifths of the votes cast on the
17 proposition favor the reduction of the corporate limits, the
18 legislative body of the city or town, by an order entered on its
19 minutes, shall direct the clerk to make and transmit to the office of
20 the secretary of state a certified abstract of the vote. The abstract
21 shall show the total number of voters voting, the number of votes
22 cast for reduction and the number of votes cast against reduction.

23 **Sec. 28.** RCW 35.16.050 and 1996 c 286 s 3 are each amended to
24 read as follows:

25 A certified copy of the ordinance defining the reduced city or
26 town limits together with a map showing the corporate limits as
27 altered shall be filed in accordance with RCW ((~~29.15.026~~))
28 29A.76.020 and recorded in the office of the county auditor of the
29 county in which the city or town is situated, upon the effective date
30 of the ordinance. The new boundaries of the city or town shall take
31 effect immediately after they are filed and recorded with the county
32 auditor.

33 **Sec. 29.** RCW 35.17.260 and 1996 c 286 s 4 are each amended to
34 read as follows:

35 Ordinances may be initiated by petition of registered voters of
36 the city filed with the commission. If the petition accompanying the
37 proposed ordinance is signed by the registered voters in the city

1 equal in number to twenty-five percent of the votes cast for all
2 candidates for mayor at the last preceding city election, and if it
3 contains a request that, unless passed by the commission, the
4 ordinance be submitted to a vote of the registered voters of the
5 city, the commission shall either:

6 (1) Pass the proposed ordinance without alteration within twenty
7 days after the county auditor's certificate of sufficiency has been
8 received by the commission; or

9 (2) Immediately after the county auditor's certificate of
10 sufficiency for the petition is received, cause to be called a
11 special election to be held on the next election date, as provided in
12 RCW ((~~29.13.020~~)) 29A.04.330, that occurs not less than forty-five
13 days thereafter, for submission of the proposed ordinance without
14 alteration, to a vote of the people unless a general election will
15 occur within ninety days, in which event submission must be made on
16 the general election ballot.

17 **Sec. 30.** RCW 35.17.310 and 1965 c 7 s 35.17.310 are each amended
18 to read as follows:

19 The city clerk shall cause any ordinance or proposition required
20 to be submitted to the voters at an election to be published once in
21 each of the daily newspapers in the city not less than five nor more
22 than twenty days before the election, or if no daily newspaper is
23 published in the city, publication shall be made in each of the
24 weekly newspapers published therein. This publication shall be in
25 addition to the notice required in ((~~chapter 29.27~~)) RCW 29A.52.355.

26 **Sec. 31.** RCW 35.17.400 and 1994 c 223 s 11 are each amended to
27 read as follows:

28 The first election of commissioners shall be held at the next
29 special election that occurs at least sixty days after the election
30 results are certified where the proposition to organize under the
31 commission form was approved by city voters, and the commission first
32 elected shall commence to serve as soon as they have been elected and
33 have qualified and shall continue to serve until their successors
34 have been elected and qualified and have assumed office in accordance
35 with RCW ((~~29.04.170~~)) 29A.60.280. The date of the second election
36 for commissioners shall be in accordance with RCW ((~~29.13.020~~))
37 29A.04.330 such that the term of the first commissioners will be as
38 near as possible to, but not in excess of, four years calculated from

1 the first day in January in the year after the year in which the
2 first commissioners were elected.

3 **Sec. 32.** RCW 35.18.020 and 1994 c 223 s 12 are each amended to
4 read as follows:

5 (1) The number of councilmembers in a city or town operating with
6 a council-manager plan of government shall be based upon the latest
7 population of the city or town that is determined by the office of
8 financial management as follows:

9 (a) A city or town having not more than two thousand inhabitants,
10 five councilmembers; and

11 (b) A city or town having more than two thousand, seven
12 councilmembers.

13 (2) Except for the initial staggering of terms, councilmembers
14 shall serve for four-year terms of office. All councilmembers shall
15 serve until their successors are elected and qualified and assume
16 office in accordance with RCW ((~~29.04.170~~)) 29A.60.280.
17 Councilmembers may be elected on a citywide or townwide basis, or
18 from wards or districts, or any combination of these alternatives.
19 Candidates shall run for specific positions. Wards or districts shall
20 be redrawn as provided in chapter ((~~29.70~~)) 29A.76 RCW. Wards or
21 districts shall be used as follows: (a) Only a resident of the ward
22 or district may be a candidate for, or hold office as, a
23 councilmember of the ward or district; and (b) only voters of the
24 ward or district may vote at a primary to nominate candidates for a
25 councilmember of the ward or district. Voters of the entire city or
26 town may vote at the general election to elect a councilmember of a
27 ward or district, unless the city or town had prior to January 1,
28 1994, limited the voting in the general election for any or all
29 council positions to only voters residing within the ward or district
30 associated with the council positions. If a city or town had so
31 limited the voting in the general election to only voters residing
32 within the ward or district, then the city or town shall be
33 authorized to continue to do so.

34 (3) When a city or town has qualified for an increase in the
35 number of councilmembers from five to seven by virtue of the next
36 succeeding population determination made by the office of financial
37 management, two additional council positions shall be filled at the
38 next municipal general election with the person elected to one of the
39 new council positions receiving the greatest number of votes being

1 elected for a four-year term of office and the person elected to the
2 other additional council position being elected for a two-year term
3 of office. The two additional councilmembers shall assume office
4 immediately when qualified in accordance with RCW ((29.01.135))
5 29A.04.133, but the term of office shall be computed from the first
6 day of January after the year in which they are elected. Their
7 successors shall be elected to four-year terms of office.

8 Prior to the election of the two new councilmembers, the city or
9 town council shall fill the additional positions by appointment not
10 later than forty-five days following the release of the population
11 determination, and each appointee shall hold office only until the
12 new position is filled by election.

13 (4) When a city or town has qualified for a decrease in the
14 number of councilmembers from seven to five by virtue of the next
15 succeeding population determination made by the office of financial
16 management, two council positions shall be eliminated at the next
17 municipal general election if four council positions normally would
18 be filled at that election, or one council position shall be
19 eliminated at each of the next two succeeding municipal general
20 elections if three council positions normally would be filled at the
21 first municipal general election after the population determination.
22 The council shall by ordinance indicate which, if any, of the
23 remaining positions shall be elected at-large or from wards or
24 districts.

25 (5) Vacancies on a council shall occur and shall be filled as
26 provided in chapter 42.12 RCW.

27 **Sec. 33.** RCW 35.20.100 and 1997 c 25 s 1 are each amended to
28 read as follows:

29 There shall be three departments of the municipal court, which
30 shall be designated as Department Nos. 1, 2 and 3. However, when the
31 administration of justice and the accomplishment of the work of the
32 court make additional departments necessary, the legislative body of
33 the city may create additional departments as they are needed. The
34 departments shall be established in such places as may be provided by
35 the legislative body of the city, and each department shall be
36 presided over by a municipal judge. However, notwithstanding the
37 priority of action rule, for a defendant incarcerated at a jail
38 facility outside the city limits but within the county in which the
39 city is located, the city may, pursuant to an interlocal agreement

1 under chapter 39.34 RCW, contract with the county to transfer
2 jurisdiction and venue over the defendant to a district court and to
3 provide all judicial services at the district court as would be
4 provided by a department of the municipal court. The judges shall
5 select, by majority vote, one of their number to act as presiding
6 judge of the municipal court for a term of one year, and he or she
7 shall be responsible for administration of the court and assignment
8 of calendars to all departments. A change of venue from one
9 department of the municipal court to another department shall be
10 allowed in accordance with the provisions of RCW 3.66.090 in all
11 civil and criminal proceedings. The city shall assume the costs of
12 the elections of the municipal judges in accordance with the
13 provisions of RCW (~~29.13.045~~) 29A.04.410.

14 **Sec. 34.** RCW 35.21.203 and 1989 c 250 s 2 are each amended to
15 read as follows:

16 The necessary expenses of defending an elective city or town
17 official in a judicial hearing to determine the sufficiency of a
18 recall charge as provided in RCW (~~29.82.023~~) 29A.56.140 shall be
19 paid by the city or town if the official requests such defense and
20 approval is granted by the city or town council. The expenses paid by
21 the city or town may include costs associated with an appeal of the
22 decision rendered by the superior court concerning the sufficiency of
23 the recall charge.

24 **Sec. 35.** RCW 35.22.055 and 1974 ex.s. c 1 s 1 are each amended
25 to read as follows:

26 Notwithstanding any other provision of law, whenever the
27 population of a city is three hundred thousand persons or more, not
28 less than ten days before the time for filing declarations of
29 candidacy for election of freeholders under Article XI, section 10
30 (Amendment 40), of the state Constitution, the city clerk shall
31 designate the positions to be filled by consecutive number,
32 commencing with one. The positions to be designated shall be dealt
33 with as separate offices for all election purposes, and each
34 candidate shall file for one, but only one, of the positions so
35 designated.

36 In the printing of ballots, the positions of the names of
37 candidates for each numbered position shall be (~~changed as many~~
38 ~~times as there are candidates for the numbered positions, following~~

1 ~~insofar as applicable the procedure provided for in RCW 29.30.040 for~~
2 ~~the rotation of names on primary ballots, the intention being that~~
3 ~~ballots at the polls will reflect as closely as practicable the~~
4 ~~rotation procedure as provided for therein)) in accordance with RCW~~
5 29A.36.121.

6 **Sec. 36.** RCW 35.22.200 and 2001 c 73 s 2 are each amended to
7 read as follows:

8 The legislative powers of a charter city shall be vested in a
9 mayor and a city council, to consist of such number of members and to
10 have such powers as may be provided for in its charter. The charter
11 may provide for direct legislation by the people through the
12 initiative and referendum upon any matter within the scope of the
13 powers, functions, or duties of the city. The mayor and council and
14 such other elective officers as may be provided for in such charter
15 shall be elected at such times and in such manner as provided in
16 Title 29A RCW, and for such terms and shall perform such duties as
17 may be prescribed in the charter, and shall receive compensation in
18 accordance with the process or standards of a charter provision or
19 ordinance which conforms with RCW 35.21.015.

20 **Sec. 37.** RCW 35.22.235 and 2003 c 111 s 2301 are each amended to
21 read as follows:

22 All regular elections in first-class cities having a mayor-
23 council form of government whose charters provide for twelve
24 councilmembers elected for a term of two years, two being elected
25 from each of six wards, and for the election of a mayor, treasurer,
26 and comptroller for terms of two years, shall be held biennially as
27 provided in RCW 29A.04.330. The term of each councilmember, mayor,
28 treasurer, and comptroller shall be four years and until his or her
29 successor is elected and qualified and assumes office in accordance
30 with RCW ((29A.20.040)) 29A.60.280. The terms of the councilmembers
31 shall be so staggered that six councilmembers shall be elected to
32 office at each regular election.

33 **Sec. 38.** RCW 35.22.245 and 2003 c 111 s 2302 are each amended to
34 read as follows:

35 All regular elections in first-class cities having a mayor-
36 council form of government whose charters provide for seven
37 councilmembers, one to be elected from each of six wards and one at

1 large, for a term of two years, and for the election of a mayor,
2 comptroller, treasurer and attorney for two year terms, shall be held
3 biennially as provided in RCW 29A.04.330. The terms of the six
4 councilmembers to be elected by wards shall be four years and until
5 their successors are elected and qualified and the term of the
6 councilmember to be elected at large shall be two years and until
7 their successors are elected and qualified. The terms of the
8 councilmembers shall be so staggered that three ward councilmembers
9 and the councilmember at large shall be elected at each regular
10 election. The term of the mayor, attorney, treasurer, and comptroller
11 shall be four years and until their successors are elected and
12 qualified and assume office in accordance with RCW ((~~29A.20.040~~))
13 29A.60.280.

14 **Sec. 39.** RCW 35.23.051 and 1997 c 361 s 13 are each amended to
15 read as follows:

16 General municipal elections in second-class cities shall be held
17 biennially in the odd-numbered years and shall be subject to general
18 election law.

19 The terms of office of the mayor, city attorney, clerk, and
20 treasurer shall be four years and until their successors are elected
21 and qualified and assume office in accordance with RCW ((~~29.04.170~~))
22 29A.60.280: PROVIDED, That if the offices of city attorney, clerk,
23 and treasurer are made appointive, the city attorney, clerk, and
24 treasurer shall not be appointed for a definite term: PROVIDED
25 FURTHER, That the term of the elected treasurer shall not commence in
26 the same biennium in which the term of the mayor commences, nor in
27 which the terms of the city attorney and clerk commence if they are
28 elected.

29 Council positions shall be numbered in each second-class city so
30 that council position seven has a two-year term of office and council
31 positions one through six shall each have four-year terms of office.
32 Each councilmember shall remain in office until a successor is
33 elected and qualified and assumes office in accordance with RCW
34 ((~~29.04.170~~)) 29A.60.280.

35 In its discretion the council of a second-class city may divide
36 the city by ordinance, into a convenient number of wards, not
37 exceeding six, fix the boundaries of the wards, and change the ward
38 boundaries from time to time and as provided in RCW ((~~29.70.100~~))
39 29A.76.010. No change in the boundaries of any ward shall be made

1 within one hundred twenty days next before the date of a general
2 municipal election, nor within twenty months after the wards have
3 been established or altered. However, if a boundary change results in
4 one ward being represented by more councilmembers than the number to
5 which it is entitled, those having the shortest unexpired terms shall
6 be assigned by the council to wards where there is a vacancy, and the
7 councilmembers so assigned shall be deemed to be residents of the
8 wards to which they are assigned for purposes of determining whether
9 those positions are vacant.

10 Whenever such city is so divided into wards, the city council
11 shall designate by ordinance the number of councilmembers to be
12 elected from each ward, apportioning the same in proportion to the
13 population of the wards. Thereafter the councilmembers so designated
14 shall be elected by the voters resident in such ward, or by general
15 vote of the whole city as may be designated in such ordinance.
16 Council position seven shall not be associated with a ward and the
17 person elected to that position may reside anywhere in the city and
18 voters throughout the city may vote at a primary to nominate
19 candidates for position seven, when a primary is necessary, and at a
20 general election to elect the person to council position seven.
21 Additional territory that is added to the city shall, by act of the
22 council, be annexed to contiguous wards without affecting the right
23 to redistrict at the expiration of twenty months after last previous
24 division. The removal of a councilmember from the ward for which he
25 or she was elected shall create a vacancy in such office.

26 Wards shall be redrawn as provided in chapter ((29.70)) 29A.76
27 RCW. Wards shall be used as follows: (1) Only a resident of the ward
28 may be a candidate for, or hold office as, a councilmember of the
29 ward; and (2) only voters of the ward may vote at a primary to
30 nominate candidates for a councilmember of the ward. Voters of the
31 entire city may vote at the general election to elect a councilmember
32 of a ward, unless the city had prior to January 1, 1994, limited the
33 voting in the general election for any or all council positions to
34 only voters residing within the ward associated with the council
35 positions. If a city had so limited the voting in the general
36 election to only voters residing within the ward, then the city shall
37 be authorized to continue to do so. The elections for the remaining
38 council position or council positions that are not associated with a
39 ward shall be conducted as if the wards did not exist.

1 **Sec. 40.** RCW 35.23.805 and 1994 c 81 s 25 are each amended to
2 read as follows:

3 In a city initially classified as a second-class city prior to
4 January 1, 1993, that retained its second-class city plan of
5 government when the city reorganized as a noncharter code city, the
6 terms of office of mayor, city clerk, city treasurer and
7 councilmembers shall be four years, and until their successors are
8 elected and qualified and assume office in accordance with RCW
9 ((29.04.170)) 29A.60.280, but not more than six councilmembers
10 normally shall be elected in any one year to fill a full term.

11 **Sec. 41.** RCW 35.23.850 and 1995 c 134 s 10 are each amended to
12 read as follows:

13 In any city initially classified as a second-class city prior to
14 January 1, 1993, that retained its second-class city plan of
15 government when the city reorganized as a noncharter code city, the
16 city council may divide the city into wards, not exceeding six in
17 all, or change the boundaries of existing wards at any time less than
18 one hundred twenty days before a municipal general election. No
19 change in the boundaries of wards shall affect the term of any
20 councilmember, and councilmembers shall serve out their terms in the
21 wards of their residences at the time of their elections. However, if
22 these boundary changes result in one ward being represented by more
23 councilmembers than the number to which it is entitled, those having
24 the shortest unexpired terms shall be assigned by the council to
25 wards where there is a vacancy, and the councilmembers so assigned
26 shall be deemed to be residents of the wards to which they are
27 assigned for purposes of determining whether those positions are
28 vacant.

29 The representation of each ward in the city council shall be in
30 proportion to the population as nearly as is practicable.

31 Wards shall be redrawn as provided in chapter ((29.70)) 29A.76
32 RCW. Wards shall be used as follows: (1) Only a resident of the ward
33 may be a candidate for, or hold office as, a councilmember of the
34 ward; and (2) only voters of the ward may vote at a primary to
35 nominate candidates for a councilmember of the ward. Voters of the
36 entire city may vote at the general election to elect a councilmember
37 of a ward, unless the city had prior to January 1, 1994, limited the
38 voting in the general election for any or all council positions to
39 only voters residing within the ward associated with the council

1 positions. If a city had so limited the voting in the general
2 election to only voters residing within the ward, then the city shall
3 be authorized to continue to do so. The elections for the remaining
4 council position or council positions that are not associated with a
5 ward shall be conducted as if the wards did not exist.

6 **Sec. 42.** RCW 35.30.080 and 2003 c 42 s 2 are each amended to
7 read as follows:

8 (1) When a majority of the legislative body of an unclassified
9 city determines that it would serve the best interests and general
10 welfare of such municipality to change the election procedures of
11 such city to the procedures specified in this section, such
12 legislative body may, by resolution, declare its intention to adopt
13 such procedures for the city. Such resolution must be adopted at
14 least one hundred eighty days before the general municipal election
15 at which the new election procedures are implemented. Within ten days
16 after the passage of the resolution, the legislative body shall cause
17 it to be published at least once in a newspaper of general
18 circulation within the city.

19 (2) All general municipal elections in an unclassified city
20 adopting a resolution under subsection (1) of this section shall be
21 held biennially in the odd-numbered years as provided in RCW
22 ((~~29.13.020~~)) 29A.04.330 and shall be held in accordance with the
23 general election laws of the state.

24 The term of the treasurer shall not commence in the same biennium
25 in which the term of the mayor commences. Candidates for the city
26 council shall run for specific council positions. The staggering of
27 terms of city officers shall be established at the first election,
28 where the simple majority of the persons elected as councilmembers
29 receiving the greatest numbers of votes shall be elected to four-year
30 terms of office and the remainder of the persons elected as
31 councilmembers and the treasurer shall be elected to two-year terms
32 of office. Thereafter, all elected city officers shall be elected for
33 four-year terms and until their successors are elected and qualified
34 and assume office in accordance with RCW ((~~29.04.170~~)) 29A.60.280.

35 **Sec. 43.** RCW 35.61.030 and 2002 c 88 s 3 are each amended to
36 read as follows:

37 (1) Except as provided in subsection (2) of this section for
38 review by a boundary review board, the ballot proposition authorizing

1 creation of a metropolitan park district that is submitted to voters
2 for their approval or rejection shall appear on the ballot of the
3 next general election or at the next special election date specified
4 under RCW ((~~29.13.020~~)) 29A.04.330 occurring sixty or more days after
5 the last resolution proposing the creation of the park district is
6 adopted or the date the county auditor certifies that the petition
7 proposing the creation of the park district contains sufficient valid
8 signatures. Where the petition or copy thereof is filed with two or
9 more county auditors in the case of a proposed district in two or
10 more counties, the county auditors shall confer and issue a joint
11 certification upon finding that the required number of signatures on
12 the petition has been obtained.

13 (2) Where the proposed district is located wholly or in part in a
14 county in which a boundary review board has been created, notice of
15 the proposal to create a metropolitan park district shall be filed
16 with the boundary review board as provided under RCW 36.93.090 and
17 the special election at which a ballot proposition authorizing
18 creation of the park district shall be held on the special election
19 date specified under RCW ((~~29.13.020~~)) 29A.04.330 that is sixty or
20 more days after the date the boundary review board is deemed to have
21 approved the proposal, approves the proposal, or modifies and
22 approves the proposal. The creation of a metropolitan park district
23 is not subject to review by a boundary review board if the proposed
24 district only includes one or more cities and in such cases the
25 special election at which a ballot proposition authorizing creation
26 of the park district shall be held as if a boundary review board does
27 not exist in the county or counties.

28 (3) The petition proposing the creation of a metropolitan park
29 district, or the resolution submitting the question to the voters,
30 shall choose and describe the composition of the initial board of
31 commissioners of the district that is proposed under RCW 35.61.050
32 and shall choose a name for the district. The proposition shall
33 include the following terms:

34 "For the formation of a metropolitan park district to be
35 governed by [insert board composition described in ballot
36 proposition]."

37 "Against the formation of a metropolitan park district."

1 **Sec. 44.** RCW 35.61.050 and 2002 c 88 s 5 are each amended to
2 read as follows:

3 (1) The resolution or petition submitting the ballot proposition
4 shall designate the composition of the board of metropolitan park
5 commissioners from among the alternatives provided under subsections
6 (2) through (4) of this section. The ballot proposition shall clearly
7 describe the designated composition of the board.

8 (2) The commissioners of the district may be selected by
9 election, in which case at the same election at which the proposition
10 is submitted to the voters as to whether a metropolitan park district
11 is to be formed, five park commissioners shall be elected. The
12 election of park commissioners shall be null and void if the
13 metropolitan park district is not created. Candidates shall run for
14 specific commission positions. No primary shall be held to nominate
15 candidates. The person receiving the greatest number of votes for
16 each position shall be elected as a commissioner. The staggering of
17 the terms of office shall occur as follows: (a) The two persons who
18 are elected receiving the two greatest numbers of votes shall be
19 elected to six-year terms of office if the election is held in an
20 odd-numbered year or five-year terms of office if the election is
21 held in an even-numbered year; (b) the two persons who are elected
22 receiving the next two greatest numbers of votes shall be elected to
23 four-year terms of office if the election is held in an odd-numbered
24 year or three-year terms of office if the election is held in an
25 even-numbered year; and (c) the other person who is elected shall be
26 elected to a two-year term of office if the election is held in an
27 odd-numbered year or a one-year term of office if the election is
28 held in an even-numbered year. The initial commissioners shall take
29 office immediately when they are elected and qualified, and for
30 purposes of computing their terms of office the terms shall be
31 assumed to commence on the first day of January in the year after
32 they are elected. Thereafter, all commissioners shall be elected to
33 six-year terms of office. All commissioners shall serve until their
34 respective successors are elected and qualified and assume office in
35 accordance with RCW ((~~29.04.170~~)) 29A.60.280. Vacancies shall occur
36 and shall be filled as provided in chapter 42.12 RCW.

37 (3) In a district wholly located within a city or within the
38 unincorporated area of a county, the governing body of such city or
39 legislative authority of such county may be designated to serve in an
40 ex officio capacity as the board of metropolitan park commissioners,

1 provided that when creation of the district is proposed by citizen
2 petition, the city or county approves by resolution such designation.

3 (4) Where the proposed district is located within more than one
4 city, more than one county, or any combination of cities and
5 counties, each city governing body and county legislative authority
6 may be designated to collectively serve ex officio as the board of
7 metropolitan park commissioners through selection of one or more
8 members from each to serve as the board, provided that when creation
9 of the district is proposed by citizen petition, each city governing
10 body and county legislative authority approve by resolution such
11 designation. Within six months of the date of certification of
12 election results approving creation of the district, the size and
13 membership of the board shall be determined through interlocal
14 agreement of each city and county. The interlocal agreement shall
15 specify the method for filling vacancies on the board.

16 (5) Metropolitan park districts created by a vote of the people
17 prior to June 13, 2002, may not change the composition and method of
18 selection of their governing authority without approval of the
19 voters. Should such a change be desired, the board of park
20 commissioners shall submit a ballot proposition to the voters of the
21 metropolitan park district.

22 **Sec. 45.** RCW 35.61.270 and 1985 c 469 s 35 are each amended to
23 read as follows:

24 If the park commissioners concur in the petition, they shall
25 cause the proposal to be submitted to the electors of the territory
26 proposed to be annexed, at an election to be held in the territory,
27 which shall be called, canvassed and conducted in accordance with the
28 general election laws. The board of park commissioners by resolution
29 shall fix a time for the holding of the election to determine the
30 question of annexation, and in addition to the notice required by RCW
31 ((29.27.080)) 29A.52.355 shall give notice thereof by causing notice
32 to be published once a week for two consecutive weeks in a newspaper
33 of general circulation in the park district, and by posting notices
34 in five public places within the territory proposed to be annexed in
35 the district.

36 The ballot to be used at the election shall be in the following
37 form:

38 "For annexation to metropolitan park district."

1 □ "Against annexation to metropolitan park district."

2 **Sec. 46.** RCW 35.95A.100 and 2002 c 248 s 11 are each amended to
3 read as follows:

4 (1) Every authority has the power to impose annual regular
5 property tax levies in an amount equal to one dollar and fifty cents
6 or less per thousand dollars of assessed value of property in the
7 authority area when specifically authorized to do so by a majority of
8 the voters voting on a proposition submitted at a special election or
9 at the regular election of the authority. A proposition authorizing
10 the tax levies will not be submitted by an authority more than twice
11 in any twelve-month period. Ballot propositions must conform with RCW
12 ((~~29.30.111~~)) 29A.36.210. The number of years during which the
13 regular levy will be imposed may be limited as specified in the
14 ballot proposition or may be unlimited in duration. In the event an
15 authority is levying property taxes, which in combination with
16 property taxes levied by other taxing districts subject to the
17 limitations provided in RCW 84.52.043 and 84.52.050, exceed these
18 limitations, the authority's property tax levy shall be reduced or
19 eliminated consistent with RCW 84.52.010.

20 (2) The limitation in RCW 84.55.010 does not apply to the first
21 levy imposed under this section following the approval of the levies
22 by the voters under subsection (1) of this section.

23 **Sec. 47.** RCW 35A.02.025 and 1979 ex.s. c 18 s 4 are each amended
24 to read as follows:

25 Upon the filing of a referendum petition in the manner provided
26 in RCW 35A.29.170 signed by qualified electors in number equal to not
27 less than ten percent of the votes cast in the last general municipal
28 election, such resolution as authorized by RCW 35A.02.020 shall be
29 referred to the voters for confirmation or rejection in the next
30 general municipal election if one is to be held within one hundred
31 and eighty days from the date of filing of the referendum petition,
32 or at a special election to be called for that purpose in accordance
33 with RCW ((~~29.13.020~~)) 29A.04.330.

34 **Sec. 48.** RCW 35A.02.050 and 1994 c 223 s 25 are each amended to
35 read as follows:

36 The first election of officers where required for reorganization
37 under a different general plan of government newly adopted in a

1 manner provided in RCW 35A.02.020, 35A.02.030, 35A.06.030, or
2 35A.06.060, as now or hereafter amended, shall be at the next general
3 municipal election if one is to be held more than ninety days but not
4 more than one hundred and eighty days after certification of a
5 reorganization ordinance or resolution, or otherwise at a special
6 election to be held for that purpose in accordance with RCW
7 (~~(29.13.020)~~) 29A.04.330. In the event that the first election of
8 officers is to be held at a general municipal election, such election
9 shall be preceded by a primary election pursuant to RCW (~~(29.21.010~~
10 ~~and 29.13.070)~~) 29A.52.210 and 29A.04.311. In the event that the
11 first election of all officers is to be held at a special election
12 rather than at a general election, and notwithstanding any provisions
13 of any other law to the contrary, such special election shall be
14 preceded by a primary election to be held on a date authorized by RCW
15 (~~(29.13.010)~~) 29A.04.321, and the persons nominated at that primary
16 election shall be voted upon at the next succeeding special election
17 that is authorized by RCW (~~(29.13.010)~~) 29A.04.321: PROVIDED, That in
18 the event the ordinances calling for reclassification or
19 reclassification and reorganization under the provisions of Title 35A
20 RCW have been filed with the secretary of state pursuant to RCW
21 35A.02.040 in an even-numbered year at least ninety days prior to a
22 state general election then the election of new officers shall be
23 concurrent with the state primary and general election and shall be
24 conducted as set forth in general election law.

25 Upon reorganization, candidates for all offices shall file or be
26 nominated for and successful candidates shall be elected to specific
27 council positions. The initial terms of office for those elected at a
28 first election of all officers shall be as follows: (1) A simple
29 majority of the persons who are elected as councilmembers receiving
30 the greatest numbers of votes and the mayor in a city with a mayor-
31 council plan of government shall be elected to four-year terms of
32 office, if the election is held in an odd-numbered year, or three-
33 year terms of office, if the election is held in an even-numbered
34 year; and (2) the other persons who are elected as councilmembers
35 shall be elected to two-year terms of office, if the election is held
36 in an odd-numbered year, or one-year terms of office, if the election
37 is held in an even-numbered year. The newly elected officials shall
38 take office immediately when they are elected and qualified, but the
39 length of their terms of office shall be calculated from the first
40 day of January in the year following the election. Thereafter, each

1 person elected as a councilmember or mayor in a city with a mayor-
2 council plan of government shall be elected to a four-year term of
3 office. Each councilmember and mayor in a city with a mayor-council
4 plan of government shall serve until a successor is elected and
5 qualified and assumes office as provided in RCW ((29.04.170))
6 29A.60.280.

7 The former officers shall, upon the election and qualification of
8 new officers, deliver to the proper officers of the reorganized
9 noncharter code city all books of record, documents and papers in
10 their possession belonging to such municipal corporation before the
11 reorganization thereof.

12 **Sec. 49.** RCW 35A.02.060 and 1990 c 259 s 3 are each amended to
13 read as follows:

14 When a petition which is sufficient under the rules set forth in
15 RCW 35A.01.040 is filed with the legislative body of an incorporated
16 city or town, signed by qualified electors of such municipality in
17 number equal to not less than ten percent of the votes cast at the
18 last general municipal election, seeking adoption by the city or town
19 of the classification of noncharter code city and the reorganization
20 of the city or town under one of the plans of government authorized
21 in this title, the county auditor shall file with the legislative
22 body thereof a certificate of sufficiency of such petition.
23 Thereupon, the legislative body shall cause such proposal to be
24 submitted to the voters at the next general municipal election if one
25 is to be held within one hundred eighty days after certification of
26 the sufficiency of the petition, or at a special election to be held
27 for that purpose not less than ninety days nor more than one hundred
28 and eighty days from such certification of sufficiency. Ballot titles
29 for elections under this chapter shall be prepared by the city
30 attorney ((as provided in RCW 35A.29.120)).

31 **Sec. 50.** RCW 35A.07.050 and 1990 c 259 s 6 are each amended to
32 read as follows:

33 When a petition which is sufficient under the rules set forth in
34 RCW 35A.01.040 is filed with the legislative body of a charter city,
35 signed by registered voters of such city in number equal to not less
36 than ten percent of the votes cast at the last general municipal
37 election, seeking adoption by the city of the classification of
38 charter code city, the county auditor shall file with the legislative

1 body thereof a certificate of sufficiency of such petition. Thereupon
2 the legislative body shall cause such proposal to be submitted to the
3 voters at the next general municipal election if one is to be held
4 within one hundred eighty days, or at a special election to be held
5 for that purpose not less than ninety days nor more than one hundred
6 and eighty days after the filing of such petition. Ballot titles for
7 such election shall be prepared by the city attorney (~~as provided in~~
8 ~~RCW 35A.29.120~~)).

9 **Sec. 51.** RCW 35A.08.100 and 1967 ex.s. c 119 s 35A.08.100 are
10 each amended to read as follows:

11 Ballot titles for elections under this chapter shall be prepared
12 by the city attorney (~~as provided in RCW 35A.29.120~~)). The ballot
13 statement in the election for adopting or rejecting the proposed
14 charter shall clearly state that, upon adoption of the proposed
15 charter, the city would be governed by its charter and by this title.

16 **Sec. 52.** RCW 35A.12.040 and 1994 c 223 s 31 are each amended to
17 read as follows:

18 Officers shall be elected at biennial municipal elections to be
19 conducted as provided in chapter 35A.29 RCW. The mayor and the
20 councilmembers shall be elected for four-year terms of office and
21 until their successors are elected and qualified and assume office in
22 accordance with RCW (~~29.04.170~~) 29A.60.280. At any first election
23 upon reorganization, councilmembers shall be elected as provided in
24 RCW 35A.02.050. Thereafter the requisite number of councilmembers
25 shall be elected biennially as the terms of their predecessors expire
26 and shall serve for terms of four years. The positions to be filled
27 on the city council shall be designated by consecutive numbers and
28 shall be dealt with as separate offices for all election purposes.
29 Election to positions on the council shall be by majority vote from
30 the city at large, unless provision is made by charter or ordinance
31 for election by wards. The mayor and councilmembers shall qualify by
32 taking an oath or affirmation of office and as may be provided by
33 law, charter, or ordinance.

34 **Sec. 53.** RCW 35A.12.180 and 1994 c 223 s 34 are each amended to
35 read as follows:

36 At any time not within three months previous to a municipal
37 general election the council of a noncharter code city organized

1 under this chapter may divide the city into wards or change the
2 boundaries of existing wards. No change in the boundaries of wards
3 shall affect the term of any councilmember, and councilmembers shall
4 serve out their terms in the wards of their residences at the time of
5 their elections: PROVIDED, That if this results in one ward being
6 represented by more councilmembers than the number to which it is
7 entitled those having the shortest unexpired terms shall be assigned
8 by the council to wards where there is a vacancy, and the
9 councilmembers so assigned shall be deemed to be residents of the
10 wards to which they are assigned for purposes of those positions
11 being vacant. The representation of each ward in the city council
12 shall be in proportion to the population as nearly as is practicable.

13 Wards shall be redrawn as provided in chapter ((29.70)) 29A.76
14 RCW. Wards shall be used as follows: (1) Only a resident of the ward
15 may be a candidate for, or hold office as, a councilmember of the
16 ward; and (2) only voters of the ward may vote at a primary to
17 nominate candidates for a councilmember of the ward. Voters of the
18 entire city may vote at the general election to elect a councilmember
19 of a ward, unless the city had prior to January 1, 1994, limited the
20 voting in the general election for any or all council positions to
21 only voters residing within the ward associated with the council
22 positions. If a city had so limited the voting in the general
23 election to only voters residing within the ward, then the city shall
24 be authorized to continue to do so.

25 **Sec. 54.** RCW 35A.14.050 and 1989 c 351 s 5 are each amended to
26 read as follows:

27 After consideration of the proposed annexation as provided in RCW
28 35A.14.200, the county annexation review board, within thirty days
29 after the final day of hearing, shall take one of the following
30 actions:

31 (1) Approval of the proposal as submitted.

32 (2) Subject to RCW 35.02.170, modification of the proposal by
33 adjusting boundaries to include or exclude territory; except that any
34 such inclusion of territory shall not increase the total area of
35 territory proposed for annexation by an amount exceeding the original
36 proposal by more than five percent: PROVIDED, That the county
37 annexation review board shall not adjust boundaries to include
38 territory not included in the original proposal without first
39 affording to residents and property owners of the area affected by

1 such adjustment of boundaries an opportunity to be heard as to the
2 proposal.

3 (3) Disapproval of the proposal.

4 The written decision of the county annexation review board shall
5 be filed with the board of county commissioners and with the
6 legislative body of the city concerned. If the annexation proposal is
7 modified by the county annexation review board, such modification
8 shall be fully set forth in the written decision. If the decision of
9 the boundary review board or the county annexation review board is
10 favorable to the annexation proposal, or the proposal as modified by
11 the review board, the legislative body of the city at its next
12 regular meeting if to be held within thirty days after receipt of the
13 decision of the boundary review board or the county annexation review
14 board, or at a special meeting to be held within that period, shall
15 indicate to the county auditor its preference for a special election
16 date for submission of such annexation proposal, with any
17 modifications made by the review board, to the voters of the
18 territory proposed to be annexed. The special election date that is
19 so indicated shall be one of the dates for special elections provided
20 under RCW ((~~29.13.020~~)) 29A.04.330 that is sixty or more days after
21 the date the preference is indicated. The county legislative
22 authority shall call the special election at the special election
23 date so indicated by the city. If the boundary review board or the
24 county annexation review board disapproves the annexation proposal,
25 no further action shall be taken thereon, and no proposal for
26 annexation of the same territory, or substantially the same as
27 determined by the board, shall be initiated or considered for twelve
28 months thereafter.

29 **Sec. 55.** RCW 35A.29.120 and 1993 c 256 s 13 are each amended to
30 read as follows:

31 When any question is to be submitted to the voters of a code
32 city, or when a proposition is to be submitted to the voters of an
33 area under provisions of this title, the question or proposition
34 shall be advertised as provided for nominees for office, and in such
35 cases there shall also be printed on the ballot a ballot title for
36 the question or proposition in the form applicable under RCW
37 ((~~29.79.055, 29.27.060,~~)) 82.14.036, 82.46.021, or 82.80.090 or as
38 otherwise expressly required by state law. The ballot title shall be

1 prepared by the attorney for the code city(~~(, or as specified in RCW~~
2 ~~29.27.060 for elections held outside of a code city)~~).

3 **Sec. 56.** RCW 35A.29.130 and 1967 ex.s. c 119 s 35A.29.130 are
4 each amended to read as follows:

5 Upon the filing of a ballot title as defined in RCW 35A.29.120,
6 the county auditor shall forthwith notify the persons proposing the
7 measure of the exact language of the ballot title. If the persons
8 filing any local question covered by RCW 35A.29.120 are dissatisfied
9 with the ballot title formulated by the attorney for the code city or
10 by the county prosecuting attorney, they may appeal to the superior
11 court of the county where the question is to appear on the ballot, as
12 provided in RCW (~~(29.27.067)~~) 29A.36.090.

13 **Sec. 57.** RCW 35A.29.180 and 1967 ex.s. c 119 s 35A.29.180 are
14 each amended to read as follows:

15 Elective officers of code cities may be recalled in the manner
16 provided in chapter (~~(29.82)~~) 29A.56 RCW.

17 **Sec. 58.** RCW 35A.42.050 and 1983 c 3 s 67 are each amended to
18 read as follows:

19 In addition to provisions of general law relating to public
20 officials and others in public administration, employment or public
21 works, the duties and conduct of such officers and other persons
22 shall be governed by: (1) Chapter 9A.68 RCW relating to bribery of a
23 public officer; (2) Article II, section 30 of the Constitution of the
24 state of Washington relating to bribery or corrupt solicitation; (3)
25 RCW 35.17.150 relating to misconduct in code cities having a
26 commission form of government; (4) chapter 42.23 RCW in regard to
27 interest in contracts; (5) chapter (~~(29.85)~~) 29A.84 RCW relating to
28 misconduct in connection with elections; (6) RCW 49.44.060 (~~(and~~
29 ~~49.44.070)~~) relating to grafting by employees; (7) RCW 49.44.020 and
30 49.44.030 relating to the giving or solicitation of a bribe to a
31 labor representative; (8) chapter 42.20 RCW relating to misconduct of
32 a public officer; (9) RCW 49.52.050 and 49.52.090 relating to
33 rebating by employees; and (10) chapter 9.18 RCW relating to bribery
34 and grafting.

35 **Sec. 59.** RCW 35A.56.010 and 1996 c 230 s 1605 are each amended
36 to read as follows:

1 Except as otherwise provided in this title, state laws relating
2 to special service or taxing districts shall apply to, grant powers,
3 and impose duties upon code cities and their officers to the same
4 extent as such laws apply to and affect other classes of cities and
5 towns and their employees, including, without limitation, the
6 following: (1) Chapter 70.94 RCW, relating to air pollution control;
7 (2) chapter 68.52 RCW, relating to cemetery districts; (3) chapter
8 ((29.68)) 29A.28 RCW, relating to congressional districts; (4)
9 chapters 14.07 and 14.08 RCW, relating to municipal airport
10 districts; (5) chapter 36.88 RCW, relating to county road improvement
11 districts; (6) Title 85 RCW, relating to diking districts, drainage
12 districts, and drainage improvement districts; (7) chapter 36.54 RCW,
13 relating to ferry districts; (8) Title 52 RCW, relating to fire
14 protection districts; (9) Title 86 RCW, relating to flood control
15 districts and flood control; (10) chapter 70.46 RCW, relating to
16 health districts; (11) chapters 87.03 through 87.84 and 89.12 RCW,
17 relating to irrigation districts; (12) chapter 35.61 RCW, relating to
18 metropolitan park districts; (13) chapter 35.58 RCW, relating to
19 metropolitan municipalities; (14) chapter 17.28 RCW, relating to
20 mosquito control districts; (15) chapter 17.12 RCW, relating to
21 agricultural pest districts; (16) Title 53 RCW, relating to port
22 districts; (17) chapter 70.44 RCW, relating to public hospital
23 districts; (18) Title 54 RCW, relating to public utility districts;
24 (19) chapter 91.08 RCW, relating to public waterway districts; (20)
25 chapter 89.12 RCW, relating to reclamation districts; (21) chapters
26 57.02 through 57.36 RCW, relating to water-sewer districts; and (22)
27 chapter 17.04 RCW, relating to weed districts.

28 **Sec. 60.** RCW 36.16.020 and 1979 ex.s. c 126 s 26 are each
29 amended to read as follows:

30 The term of office of all county and precinct officers shall be
31 four years and until their successors are elected and qualified and
32 assume office in accordance with RCW ((29.04.170)) 29A.60.280:
33 PROVIDED, That this section and RCW 36.16.010 shall not apply to
34 county commissioners.

35 **Sec. 61.** RCW 36.16.030 and 1996 c 108 s 1 are each amended to
36 read as follows:

37 Except as provided elsewhere in this section, in every county
38 there shall be elected from among the qualified voters of the county

1 a county assessor, a county auditor, a county clerk, a county
2 coroner, three county commissioners, a county prosecuting attorney, a
3 county sheriff and a county treasurer, except that in each county
4 with a population of less than forty thousand no coroner shall be
5 elected and the prosecuting attorney shall be ex officio coroner.
6 Whenever the population of a county increases to forty thousand or
7 more, the prosecuting attorney shall continue as ex officio coroner
8 until a coroner is elected, at the next general election at which the
9 office of prosecuting attorney normally would be elected, and assumes
10 office as provided in RCW ((29.04.170)) 29A.60.280. In any county
11 where the population has once attained forty thousand people and a
12 current coroner is in office and a subsequent census indicates less
13 than forty thousand people, the county legislative authority may
14 maintain the office of coroner by resolution or ordinance. If the
15 county legislative authority has not passed a resolution or enacted
16 an ordinance to maintain the office of coroner, the elected coroner
17 shall remain in office for the remainder of the term for which he or
18 she was elected, but no coroner shall be elected at the next election
19 at which that office would otherwise be filled and the prosecuting
20 attorney shall be the ex officio coroner. In a county with a
21 population of two hundred fifty thousand or more, the county
22 legislative authority may replace the office of coroner with a
23 medical examiner system and appoint a medical examiner as specified
24 in RCW 36.24.190. A noncharter county may have five county
25 commissioners as provided in RCW 36.32.010 and 36.32.055 through
26 36.32.0558.

27 **Sec. 62.** RCW 36.22.220 and 1992 c 163 s 12 are each amended to
28 read as follows:

29 The county auditor of each county, as ex officio supervisor of
30 all primaries and elections, general or special, within the county
31 under Title 29A RCW, may appoint one or more well-qualified persons
32 to act as assistants or deputies; however, not less than two persons
33 of the auditor's office who conduct primaries and elections in the
34 county shall be certified under chapter ((29.60)) 29A.04 RCW as
35 elections administrators.

36 **Sec. 63.** RCW 36.32.030 and 1979 ex.s. c 126 s 27 are each
37 amended to read as follows:

1 The terms of office of county commissioners shall be four years
2 and until their successors are elected and qualified and assume
3 office in accordance with RCW ((~~29.04.170~~)) 29A.60.280: PROVIDED,
4 That the terms shall be staggered so that either one or two
5 commissioners are elected at a general election held in an even-
6 numbered year.

7 **Sec. 64.** RCW 36.32.0558 and 2003 c 238 s 2 are each amended to
8 read as follows:

9 Vacancies on a board of county commissioners consisting of five
10 members shall be filled as provided in RCW 36.32.070, except that:

11 (1) Whenever there are three or more vacancies, the governor
12 shall appoint one or more commissioners until there are a total of
13 three commissioners;

14 (2) Whenever there are two vacancies, the three commissioners
15 shall fill one of the vacancies;

16 (3) Whenever there is one vacancy, the four commissioners shall
17 fill the single vacancy; and

18 (4) Whenever there is a vacancy after the general election in a
19 year that the position appears on the ballot and before the start of
20 the next term, the term of the successor who is of the same party as
21 the incumbent may commence once he or she has qualified as defined in
22 RCW ((~~29.01.135~~)) 29A.04.133 and shall continue through the term for
23 which he or she was elected.

24 **Sec. 65.** RCW 36.32.070 and 2003 c 238 s 3 are each amended to
25 read as follows:

26 Whenever there is a vacancy in the board of county commissioners,
27 except as provided in RCW 36.32.0558, it shall be filled as follows:

28 (1) If there are three vacancies, the governor of the state shall
29 appoint two of the officers. The two commissioners thus appointed
30 shall then meet and select the third commissioner. If the two
31 appointed commissioners fail to agree upon selection of the third
32 after the expiration of five days from the day they were appointed,
33 the governor shall appoint the remaining commissioner.

34 (2) Whenever there are two vacancies in the office of county
35 commissioner, the governor shall appoint one commissioner, and the
36 two commissioners then in office shall appoint the third
37 commissioner. If they fail to agree upon a selection after the

1 expiration of five days from the day of the governor's appointment,
2 the governor shall appoint the third commissioner.

3 (3) Whenever there is one vacancy in the office of county
4 commissioner, the two remaining commissioners shall fill the vacancy.
5 If the two commissioners fail to agree upon a selection after the
6 expiration of five days from the day the vacancy occurred, the
7 governor shall appoint the third commissioner.

8 (4) Whenever there is a vacancy in the office of county
9 commissioner after the general election in a year that the position
10 appears on the ballot and before the start of the next term, the term
11 of the successor who is of the same party as the incumbent may
12 commence once he or she has qualified as defined in RCW ((~~29.01.135~~))
13 29A.04.133 and shall continue through the term for which he or she
14 was elected.

15 **Sec. 66.** RCW 36.69.070 and 1994 c 223 s 43 are each amended to
16 read as follows:

17 A ballot proposition authorizing the formation of the proposed
18 park and recreation district shall be submitted to the voters of the
19 proposed district for their approval or rejection at the next general
20 state election occurring sixty or more days after the county
21 legislative authority fixes the boundaries of the proposed district.
22 Notices of the election for the formation of the park and recreation
23 district shall state generally and briefly the purpose thereof and
24 shall give the boundaries of the proposed district and name the day
25 of the election and the hours during which the polls will be open.
26 The proposition to be submitted to the voters shall be stated in such
27 manner that the voters may indicate yes or no upon the proposition of
28 forming the proposed park and recreation district.

29 The initial park and recreation commissioners shall be elected at
30 the same election, but this election shall be null and void if the
31 district is not authorized to be formed. No primary shall be held to
32 nominate candidates for the initial commissioner positions.
33 Candidates shall run for specific commission positions. A special
34 filing period shall be opened as provided in RCW ((~~29.15.170~~ and
35 ~~29.15.180~~)) 29A.24.171 and 29A.24.181. The person who receives the
36 greatest number of votes for each commission position shall be
37 elected to that position. The three persons who are elected receiving
38 the greatest number of votes shall be elected to four-year terms of
39 office if the election is held in an odd-numbered year or three-year

1 terms of office if the election is held in an even-numbered year. The
2 other two persons who are elected shall be elected to two-year terms
3 of office if the election is held in an odd-numbered year or one-year
4 terms of office if the election is held in an even-numbered year. The
5 initial commissioners shall take office immediately upon being
6 elected and qualified, but the length of such terms shall be computed
7 from the first day of January in the year following this election.

8 **Sec. 67.** RCW 36.69.090 and 1996 c 324 s 2 are each amended to
9 read as follows:

10 A park and recreation district shall be governed by a board of
11 five commissioners. Except for the initial commissioners, all
12 commissioners shall be elected to staggered four-year terms of office
13 and shall serve until their successors are elected and qualified and
14 assume office in accordance with RCW (~~(29.04.170)~~) 29A.60.280.
15 Candidates shall run for specific commissioner positions.

16 Elections for park and recreation district commissioners shall be
17 held biennially in conjunction with the general election in each odd-
18 numbered year. Elections shall be held in accordance with the
19 provisions of Title 29A RCW dealing with general elections, except
20 that there shall be no primary to nominate candidates. All persons
21 filing and qualifying shall appear on the general election ballot and
22 the person receiving the largest number of votes for each position
23 shall be elected.

24 **Sec. 68.** RCW 36.105.050 and 1991 c 363 s 103 are each amended to
25 read as follows:

26 The initial members of the community council shall be elected at
27 the same election as the ballot proposition is submitted authorizing
28 the creation of the community council. However, the election of the
29 initial community councilmembers shall be null and void if the ballot
30 proposition authorizing the creation of the community council is not
31 approved.

32 No primary election shall be held to nominate candidates for
33 initial council positions. The initial community council shall
34 consist of the candidate for each council position who receives the
35 greatest number of votes for that council position. Staggering of
36 terms of office shall be accomplished by having the majority of the
37 winning candidates who receive the greatest number of votes being
38 elected to four-year terms of office, and the remaining winning

1 candidates being elected to two-year terms of office, if the election
2 was held in an even-numbered year, or the majority of the winning
3 candidates who receive the greatest number of votes being elected to
4 three-year terms of office, and the remaining winning candidates
5 being elected to one-year terms of office, if the election was held
6 in an odd-numbered year, with the term computed from the first day of
7 January in the year following the election. Initial councilmembers
8 shall take office immediately when qualified in accordance with RCW
9 ((~~29.01.135~~)) 29A.04.133.

10 However, where the county operates under a charter providing for
11 the election of members of the county legislative authority in odd-
12 numbered years, the terms of office of the initial councilmembers
13 shall be four years and two years, if the election of the initial
14 councilmembers was held on an odd-numbered year, or three years and
15 one year, if the election of the initial councilmembers was held on
16 an even-numbered year.

17 **Sec. 69.** RCW 39.36.050 and 1984 c 186 s 3 are each amended to
18 read as follows:

19 The governing body of a taxing district desiring to place a
20 ballot proposition authorizing indebtedness before the voters may
21 submit the proposition at any special election held on the dates
22 authorized in ((~~chapter 29.13~~)) RCW 29A.04.330. The ballot
23 proposition shall include the maximum amount of the indebtedness to
24 be authorized, the maximum term any bonds may have, a description of
25 the purpose or purposes of the bond issue, and whether excess
26 property tax levies authorized under RCW 84.52.056 will be
27 authorized.

28 When it is required that such bonds be retired by excess property
29 tax levies, or when the governing body desires such bonds be retired
30 by excess property tax levies, the ballot proposition shall also
31 include authorization for such excess bond retirement property tax
32 levies provided under RCW 84.52.056.

33 Notice of the proposed election shall be published as required by
34 RCW ((~~29.27.080~~)) 29A.52.355.

35 **Sec. 70.** RCW 43.07.140 and 1991 c 72 s 55 are each amended to
36 read as follows:

37 The secretary of state is hereby specifically authorized to
38 print, reprint, and distribute the following materials:

- 1 (1) Lists of active corporations;
- 2 (2) The provisions of Title 23 RCW;
- 3 (3) The provisions of Title 23B RCW;
- 4 (4) The provisions of Title 24 RCW;
- 5 (5) The provisions of chapter 25.10 RCW;
- 6 (6) The provisions of Title 29A RCW;
- 7 (7) The provisions of chapter 18.100 RCW;
- 8 (8) The provisions of chapter 19.77 RCW;
- 9 (9) The provisions of chapter 43.07 RCW;
- 10 (10) The provisions of the Washington state Constitution;
- 11 (11) The provisions of chapters 40.14, 40.16, and 40.20 RCW, and
- 12 any statutes, rules, schedules, indexes, guides, descriptions, or
- 13 other materials related to the public records of state or local
- 14 government or to the state archives; and
- 15 (12) Rules and informational publications related to the
- 16 statutory provisions set forth above.

17 **Sec. 71.** RCW 43.135.060 and 1998 c 321 s 15 are each amended to
18 read as follows:

19 (1) After July 1, 1995, the legislature shall not impose
20 responsibility for new programs or increased levels of service under
21 existing programs on any political subdivision of the state unless
22 the subdivision is fully reimbursed by the state for the costs of the
23 new programs or increases in service levels. Reimbursement by the
24 state may be made by: (a) A specific appropriation; or (b) increases
25 in state distributions of revenue to political subdivisions occurring
26 after January 1, 1998.

27 (2) If by order of any court, or legislative enactment, the costs
28 of a federal or local government program are transferred to or from
29 the state, the otherwise applicable state expenditure limit shall be
30 increased or decreased, as the case may be, by the dollar amount of
31 the costs of the program.

32 (3) The legislature, in consultation with the office of financial
33 management or its successor agency, shall determine the costs of any
34 new programs or increased levels of service under existing programs
35 imposed on any political subdivision or transferred to or from the
36 state.

37 (4) Subsection (1) of this section does not apply to the costs
38 incurred for voting devices or machines under RCW (~~29.04.200~~)
39 29A.12.150.

1 **Sec. 72.** RCW 46.20.205 and 1999 c 6 s 24 are each amended to
2 read as follows:

3 (1) Whenever any person after applying for or receiving a
4 driver's license or identicard moves from the address named in the
5 application or in the license or identicard issued to him or her, the
6 person shall within ten days thereafter notify the department of the
7 address change. The notification must be in writing on a form
8 provided by the department and must include the number of the
9 person's driver's license. The written notification, or other means
10 as designated by rule of the department, is the exclusive means by
11 which the address of record maintained by the department concerning
12 the licensee or identicard holder may be changed.

13 (a) The form must contain a place for the person to indicate that
14 the address change is not for voting purposes. The department of
15 licensing shall notify the secretary of state by the means described
16 in RCW ((~~29.07.270(3)~~) 29A.08.350 of all change of address
17 information received by means of this form except information on
18 persons indicating that the change is not for voting purposes.

19 (b) Any notice regarding the cancellation, suspension,
20 revocation, disqualification, probation, or nonrenewal of the
21 driver's license, commercial driver's license, driving privilege, or
22 identicard mailed to the address of record of the licensee or
23 identicard holder is effective notwithstanding the licensee's or
24 identicard holder's failure to receive the notice.

25 (2) When a licensee or holder of an identicard changes his or her
26 name of record, the person shall notify the department of the name
27 change. The person must make the notification within ten days of the
28 date that the name change is effective. The notification must be in
29 writing on a form provided by the department and must include the
30 number of the person's driver's license. The department of licensing
31 shall not change the name of record of a person under this section
32 unless the person has again satisfied the department regarding his or
33 her identity in the manner provided by RCW 46.20.035.

34 **Sec. 73.** RCW 52.04.011 and 1999 c 105 s 1 are each amended to
35 read as follows:

36 (1) A territory adjacent to a fire protection district and not
37 within the boundaries of a city, town, or other fire protection
38 district may be annexed to the fire protection district by petition
39 of fifteen percent of the qualified registered electors residing

1 within the territory proposed to be annexed. Such territory may be
2 located in a county or counties other than the county or counties
3 within which the fire protection district is located. The petition
4 shall be filed with the fire commissioners of the fire protection
5 district and if the fire commissioners concur in the petition they
6 shall file the petition with the county auditor of the county within
7 which the territory is located. If this territory is located in more
8 than one county, the original petition shall be filed with the
9 auditor of the county within which the largest portion of the
10 territory is located, who shall be designated as the lead auditor,
11 and a copy shall be filed with the auditor of each other county
12 within which such territory is located. Within thirty days after the
13 date of the filing of the petition the auditor shall examine the
14 signatures on the petition and certify to the sufficiency or
15 insufficiency of the signatures. If this territory is located in more
16 than one county, the auditor of each other county who receives a copy
17 of the petition shall examine the signatures and certify to the lead
18 auditor the number of valid signatures and the number of registered
19 voters residing in that portion of the territory that is located
20 within the county. The lead auditor shall certify the sufficiency or
21 insufficiency of the signatures.

22 After the county auditor has certified the sufficiency of the
23 petition, the county legislative authority or authorities, or the
24 boundary review board or boards, of the county or counties in which
25 such territory is located shall consider the proposal under the same
26 basis that a proposed incorporation of a fire protection district is
27 considered, with the same authority to act on the proposal as in a
28 proposed incorporation, as provided under chapter 52.02 RCW. If the
29 proposed annexation is approved by the county legislative authority
30 or boundary review board, the board of fire commissioners shall adopt
31 a resolution requesting the county auditor to call a special
32 election, as specified under RCW (~~(29.13.020)~~) 29A.04.330, at which
33 the ballot proposition is to be submitted. No annexation shall occur
34 when the territory proposed to be annexed is located in more than one
35 county unless the county legislative authority or boundary review
36 board of each county approves the proposed annexation.

37 (2) The county legislative authority or authorities of the county
38 or counties within which such territory is located have the authority
39 and duty to determine on an equitable basis, the amount of any
40 obligation which the territory to be annexed to the district shall

1 assume to place the property owners of the existing district on a
2 fair and equitable relationship with the property owners of the
3 territory to be annexed as a result of the benefits of annexing to a
4 district previously supported by the property owners of the existing
5 district. If a boundary review board has had its jurisdiction invoked
6 on the proposal and approves the proposal, the county legislative
7 authority of the county within which such territory is located may
8 exercise the authority granted in this subsection and require such an
9 assumption of indebtedness. This obligation may be paid to the
10 district in yearly benefit charge installments to be fixed by the
11 county legislative authority. This benefit charge shall be collected
12 with the annual tax levies against the property in the annexed
13 territory until fully paid. The amount of the obligation and the plan
14 of payment established by the county legislative authority shall be
15 described in general terms in the notice of election for annexation
16 and shall be described in the ballot proposition on the proposed
17 annexation that is presented to the voters for their approval or
18 rejection. Such benefit charge shall be limited to an amount not to
19 exceed a total of fifty cents per thousand dollars of assessed
20 valuation: PROVIDED, HOWEVER, That the special election on the
21 proposed annexation shall be held only within the boundaries of the
22 territory proposed to be annexed to the fire protection district.

23 (3) On the entry of the order of the county legislative authority
24 incorporating the territory into the existing fire protection
25 district, the territory shall become subject to the indebtedness,
26 bonded or otherwise, of the existing district. If the petition is
27 signed by sixty percent of the qualified registered electors residing
28 within the territory proposed to be annexed, and if the board of fire
29 commissioners concur, an election in the territory and a hearing on
30 the petition shall be dispensed with and the county legislative
31 authority shall enter its order incorporating the territory into the
32 existing fire protection district.

33 **Sec. 74.** RCW 52.06.030 and 1989 c 63 s 14 are each amended to
34 read as follows:

35 The board of the merger district may, by resolution, reject or
36 approve the petition as presented, or it may modify the terms and
37 conditions of the proposed merger, and shall transmit the petition,
38 together with a copy of its resolution to the merging district.

1 If the petition is approved as presented or as modified, the
2 board of the merging district shall send an elector-signed petition,
3 if there is one, to the auditor or auditors of the county or counties
4 in which the merging district is located, who shall within thirty
5 days examine the signatures and certify to the sufficiency or
6 insufficiency of the signatures. If the merging district is located
7 in more than one county, the auditor of the county within which the
8 largest portion of the merging district is located shall be the lead
9 auditor. Each other auditor shall certify to the lead auditor the
10 number of valid signatures and the number of registered voters of the
11 merging district who reside in the county. The lead auditor shall
12 certify as to the sufficiency or insufficiency of the signatures. No
13 signatures may be withdrawn from the petition after the filing. A
14 certificate of sufficiency shall be provided to the board of the
15 merging district, which shall adopt a resolution requesting the
16 county auditor or auditors to call a special election, as provided in
17 RCW ((~~29.13.020~~)) 29A.04.330, for the purpose of presenting the
18 question of merging the districts to the voters of the merging
19 district.

20 If there is no elector-signed petition, the merging district
21 board shall adopt a resolution requesting the county auditor or
22 auditors to call a special election in the merging district, as
23 specified under RCW ((~~29.13.020~~)) 29A.04.330, for the purpose of
24 presenting the question of the merger to the electors.

25 **Sec. 75.** RCW 52.14.060 and 1994 c 223 s 53 are each amended to
26 read as follows:

27 The initial three members of the board of fire commissioners
28 shall be elected at the same election as when the ballot proposition
29 is submitted to the voters authorizing the creation of the fire
30 protection district. If the district is not authorized to be created,
31 the election of the initial fire commissioners shall be null and
32 void. If the district is authorized to be created, the initial fire
33 commissioners shall take office immediately when qualified.
34 Candidates shall file for each of the three separate fire
35 commissioner positions. Elections shall be held as provided in
36 chapter ((~~29.21~~)) 29A.52 RCW, with the county auditor opening up a
37 special filing period as provided in RCW ((~~29.15.170 and 29.15.180~~))
38 29A.24.171 and 29A.24.181, as if there were a vacancy. The person who
39 receives the greatest number of votes for each position shall be

1 elected to that position. The terms of office of the initial fire
2 commissioners shall be staggered as follows: (1) The person who is
3 elected receiving the greatest number of votes shall be elected to a
4 six-year term of office if the election is held in an odd-numbered
5 year or a five-year term of office if the election is held in an
6 even-numbered year; (2) the person who is elected receiving the next
7 greatest number of votes shall be elected to a four-year term of
8 office if the election is held in an odd-numbered year or a three-
9 year term of office if the election is held in an even-numbered year;
10 and (3) the other person who is elected shall be elected to a two-
11 year term of office if the election is held in an odd-numbered year
12 or a one-year term of office if the election is held in an even-
13 numbered year. The initial commissioners shall take office
14 immediately when elected and qualified and their terms of office
15 shall be calculated from the first day of January in the year
16 following their election.

17 The term of office of each subsequent commissioner shall be six
18 years. Each commissioner shall serve until a successor is elected and
19 qualified and assumes office in accordance with RCW ((~~29.04.170~~))
20 29A.60.280.

21 **Sec. 76.** RCW 52.14.070 and 1989 c 63 s 23 are each amended to
22 read as follows:

23 Before beginning the duties of office, each fire commissioner
24 shall take and subscribe the official oath for the faithful discharge
25 of the duties of office as required by RCW ((~~29.01.135~~)) 29A.04.133,
26 which oath shall be filed in the office of the auditor of the county
27 in which all, or the largest portion of, the district is located.

28 **Sec. 77.** RCW 53.04.020 and 1992 c 147 s 1 are each amended to
29 read as follows:

30 At any general election or at any special election which may be
31 called for that purpose, the county legislative authority of any
32 county in this state may, or on petition of ten percent of the
33 registered voters of such county based on the total vote cast in the
34 last general county election, shall, by resolution submit to the
35 voters of such county the proposition of creating a port district
36 coextensive with the limits of such county. Such petition shall be
37 filed with the county auditor, who shall within fifteen days examine
38 the signatures thereof and certify to the sufficiency or

1 insufficiency thereof, and for such purpose the county auditor shall
2 have access to all registration books in the possession of the
3 officers of any incorporated city or town in such proposed port
4 district. If such petition be found to be insufficient, it shall be
5 returned to the persons filing the same, who may amend or add names
6 thereto for ten days, when the same shall be returned to the county
7 auditor, who shall have an additional fifteen days to examine the
8 same and attach his or her certificate thereto. No person having
9 signed such petition shall be allowed to withdraw his or her name
10 therefrom after the filing of the same with the county auditor.
11 Whenever such petition shall be certified to as sufficient, the
12 county auditor shall forthwith transmit the same, together with his
13 or her certificate of sufficiency attached thereto, to the
14 legislative authority of the county, who shall submit such
15 proposition at the next general election or, if such petition so
16 requests, the county legislative authority shall, at their first
17 meeting after the date of such certificate, by resolution, call a
18 special election to be held in accordance with RCW (~~29.13.010 and~~
19 ~~29.13.020~~) 29A.04.321 and 29A.04.330. The notice of election shall
20 state the boundaries of the proposed port district and the object of
21 such election. In submitting the question to the voters for their
22 approval or rejection, the proposition shall be expressed on the
23 ballot substantially in the following terms:

24 "Port of, Yes." (giving the name of the principal
25 seaport city within such proposed port district, or if there be more
26 than one city of the same class within such district, such name as
27 may be determined by the legislative authority of the county).

28 "Port of, No." (giving the name of the principal
29 seaport city within such port district, or if there be more than one
30 city of the same class within such district, such name as may be
31 determined by the legislative authority of the county).

32 **Sec. 78.** RCW 53.04.080 and 1990 c 259 s 16 are each amended to
33 read as follows:

34 At any general election or at any special election which may be
35 called for that purpose the county legislative authority of any
36 county in this state in which there exists a port district which is
37 not coextensive with the limits of the county, shall on petition of
38 the commissioners of such port district, by resolution, submit to the
39 voters residing within the limits of any territory which the existing

1 port district desires to annex or include in its enlarged port
2 district, the proposition of enlarging the limits of such existing
3 port districts so as to include therein the whole of the territory
4 embraced within the boundaries of such county, or such territory as
5 may be described in the petition by legal subdivisions. Such petition
6 shall be filed with the county auditor, who shall forthwith transmit
7 the same to the county legislative authority, who shall submit such
8 proposition at the next general election, or, if such petition so
9 request, the county legislative authority, shall at their first
10 meeting after the date of filing such petition, by resolution, call a
11 special election to be held in accordance with RCW (~~29.13.010 and~~
12 ~~29.13.020~~) 29A.04.321 and 29A.04.330. The notice of election shall
13 state the boundaries of the proposed enlarged port district and the
14 object of the special election. In submitting the question to the
15 voters of the territory proposed to be annexed or included for their
16 approval or rejection, the proposition shall be expressed on the
17 ballots substantially in the following terms:

18 "Enlargement of the port of, yes." (Giving (~~then~~
19 ~~{the}~~) the name of the port district which it is proposed to
20 enlarge);

21 "Enlargement of the port of, no." (Giving the name of
22 the port district which it is proposed to enlarge).

23 Such election, whether general or special, shall be held in each
24 precinct wholly or partially embraced within the limits of the
25 territory proposed to be annexed or included and shall be conducted
26 and the votes cast thereat counted, canvassed, and the returns
27 thereof made in the manner provided by law for holding general or
28 special county elections.

29 **Sec. 79.** RCW 53.12.130 and 1994 c 223 s 88 are each amended to
30 read as follows:

31 Two additional port commissioners shall be elected at the next
32 district general election following the election at which voters
33 authorized the increase in port commissioners to five members.

34 The port commissioners shall divide the port district into five
35 commissioner districts prior to the first day of June in the year in
36 which the two additional commissioners shall be elected, unless the
37 voters approved the nomination of the two additional commissioners
38 from district-wide commissioner districts as permitted in RCW
39 53.12.010(2). The new commissioner districts shall be numbered one

1 through five and the three incumbent commissioners shall represent
2 commissioner districts one through three. If, as a result of
3 redrawing the district boundaries two or three of the incumbent
4 commissioners reside in one of the new commissioner districts, the
5 commissioners who reside in the same commissioner district shall
6 determine by lot which of the first three numbered commissioner
7 districts they shall represent for the remainder of their respective
8 terms. A primary shall be held to nominate candidates from districts
9 four and five where necessary and commissioners shall be elected from
10 commissioner districts four and five at the general election. The
11 persons elected as commissioners from commissioner districts four and
12 five shall take office immediately after qualification as defined
13 under RCW (~~(29.01.135)~~) 29A.04.133.

14 In a port district where commissioners are elected to four-year
15 terms of office, the additional commissioner thus elected receiving
16 the highest number of votes shall be elected to a four-year term of
17 office and the other additional commissioner thus elected shall be
18 elected to a term of office of two years, if the election is held in
19 an odd-numbered year, or the additional commissioner thus elected
20 receiving the highest number of votes shall be elected to a term of
21 office of three years and the other shall be elected to a term of
22 office of one year, if the election is held in an even-numbered year.
23 In a port district where the commissioners are elected to six-year
24 terms of office, the additional commissioner thus elected receiving
25 the highest number of votes shall be elected to a six-year term of
26 office and the other additional commissioner shall be elected to a
27 four-year term of office, if the election is held in an odd-numbered
28 year, or the additional commissioner receiving the highest number of
29 votes shall be elected to a term of office of five-years and the
30 other shall be elected to a three-year term of office, if the
31 election is held in an even-numbered year. The length of terms of
32 office shall be computed from the first day of January in the year
33 following this election.

34 Successor commissioners from districts four and five shall be
35 elected to terms of either six or four years, depending on the length
36 of terms of office to which commissioners of that port district are
37 elected.

38 **Sec. 80.** RCW 53.12.172 and 1994 c 223 s 85 are each amended to
39 read as follows:

1 (1) In every port district the term of office of each port
2 commissioner shall be four years in each port district that is
3 countywide with a population of one hundred thousand or more, or
4 either six or four years in all other port districts as provided in
5 RCW 53.12.175, and until a successor is elected and qualified and
6 assumes office in accordance with RCW ((~~29.04.170~~)) 29A.60.280.

7 (2) The initial port commissioners shall be elected at the same
8 election as when the ballot proposition is submitted to voters
9 authorizing the creation of the port district. If the port district
10 is created the persons elected at this election shall serve as the
11 initial port commission. No primary shall be held. The person
12 receiving the greatest number of votes for commissioner from each
13 commissioner district shall be elected as the commissioner of that
14 district.

15 (3) The terms of office of the initial port commissioners shall
16 be staggered as follows in a port district that is countywide with a
17 population of one hundred thousand or more: (a) The two persons who
18 are elected receiving the two greatest numbers of votes shall be
19 elected to four-year terms of office if the election is held in an
20 odd-numbered year, or three-year terms of office if the election is
21 held in an even-numbered year, and shall hold office until successors
22 are elected and qualified and assume office in accordance with RCW
23 ((~~29.04.170~~)) 29A.60.280; and (b) the other person who is elected
24 shall be elected to a two-year term of office if the election is held
25 in an odd-numbered year, or a one-year term of office if the election
26 is held in an even-numbered year, and shall hold office until a
27 successor is elected and qualified and assumes office in accordance
28 with RCW ((~~29.04.170~~)) 29A.60.280.

29 (4) The terms of office of the initial port commissioners in all
30 other port districts shall be staggered as follows: (a) The person
31 who is elected receiving the greatest number of votes shall be
32 elected to a six-year term of office if the election is held in an
33 odd-numbered year or to a five-year term of office if the election is
34 held in an even-numbered year, and shall hold office until a
35 successor is elected and qualified and assumes office in accordance
36 with RCW ((~~29.04.170~~)) 29A.60.280; (b) the person who is elected
37 receiving the next greatest number of votes shall be elected to a
38 four-year term of office if the election is held in an odd-numbered
39 year or to a three-year term of office if the election is held in an
40 even-numbered year, and shall hold office until a successor is

1 elected and qualified and assumes office in accordance with RCW
2 ((29.04.170)) 29A.60.280; and (c) the other person who is elected
3 shall be elected to a two-year term of office if the election is held
4 in an odd-numbered year or a one-year term of office if the election
5 is held in an even-numbered year, and shall hold office until a
6 successor is elected and qualified and assumes office in accordance
7 with RCW ((29.04.170)) 29A.60.280.

8 (5) The initial port commissioners shall take office immediately
9 after being elected and qualified, but the length of their terms
10 shall be calculated from the first day in January in the year
11 following their elections.

12 **Sec. 81.** RCW 53.12.221 and 1992 c 146 s 4 are each amended to
13 read as follows:

14 Port commissioners of countywide port districts with populations
15 of one hundred thousand or more who are holding office as of June 11,
16 1992, shall retain their positions for the remainder of their terms
17 until their successors are elected and qualified, and assume office
18 in accordance with RCW ((29.04.170)) 29A.60.280. Their successors
19 shall be elected to four-year terms of office except as otherwise
20 provided in RCW 53.12.130.

21 **Sec. 82.** RCW 53.16.015 and 1994 c 223 s 90 are each amended to
22 read as follows:

23 The port commission of a port district that uses commissioner
24 districts may redraw the commissioner district boundaries as provided
25 in chapter ((29.70)) 29A.76 RCW at any time and submit the redrawn
26 boundaries to the county auditor if the port district is not
27 coterminous with a county that has the same number of county
28 legislative authority districts as the port has port commissioners.
29 The new commissioner districts shall be used at the next election at
30 which a port commissioner is regularly elected that occurs at least
31 one hundred eighty days after the redrawn boundaries have been
32 submitted. Each commissioner district shall encompass as nearly as
33 possible the same population.

34 **Sec. 83.** RCW 53.36.070 and 1983 c 3 s 162 are each amended to
35 read as follows:

36 Any port district organized under the laws of this state shall,
37 in addition to the powers otherwise provided by law, have the power

1 to raise revenue by the levy and collection of an annual tax on all
2 taxable property within such port district of not to exceed forty-
3 five cents per thousand dollars of assessed value against the
4 assessed valuation of the taxable property in such port district, for
5 dredging, canal construction, or land leveling or filling purposes,
6 the proceeds of any such levy to be used exclusively for such
7 dredging, canal construction, or land leveling and filling purposes:
8 PROVIDED, That no such levy for dredging, canal construction, or land
9 leveling or filling purposes under the provisions of RCW 53.36.070
10 and 53.36.080 shall be made unless and until the question of
11 authorizing the making of such additional levy shall have been
12 submitted to a vote of the electors of the district in the manner
13 provided by law for the submission of the question of making
14 additional levies in school districts of the first class at an
15 election held under the provisions of RCW (~~29.13.020~~) 29A.04.330
16 and shall have been authorized by a majority of the electors voting
17 thereon.

18 **Sec. 84.** RCW 53.36.100 and 1994 c 278 s 1 are each amended to
19 read as follows:

20 (1) A port district having adopted a comprehensive scheme of
21 harbor improvements and industrial developments may thereafter raise
22 revenue, for six years only, and a second six years if the procedures
23 are followed under subsection (2) of this section, in addition to all
24 other revenues now authorized by law, by an annual levy not to exceed
25 forty-five cents per thousand dollars of assessed value against the
26 assessed valuation of the taxable property in such port district. In
27 addition, if voters approve a ballot proposition authorizing
28 additional levies by a simple majority vote, a port district located
29 in a county bordering on the Pacific Ocean having adopted a
30 comprehensive scheme of harbor improvements and industrial
31 developments may impose these levies for a third six-year period.
32 Said levies shall be used exclusively for the exercise of the powers
33 granted to port districts under chapter 53.25 RCW except as provided
34 in RCW 53.36.110. The levy of such taxes is herein authorized
35 notwithstanding the provisions of RCW 84.52.050 and 84.52.043. The
36 revenues derived from levies made under RCW 53.36.100 and 53.36.110
37 not expended in the year in which the levies are made may be paid
38 into a fund for future use in carrying out the powers granted under
39 chapter 53.25 RCW, which fund may be accumulated and carried over

1 from year to year, with the right to continue to levy the taxes
2 provided for in RCW 53.36.100 and 53.36.110 for the purposes herein
3 authorized.

4 (2) If a port district intends to levy a tax under this section
5 for one or more years after the first six years these levies were
6 imposed, the port commission shall publish notice of this intention,
7 in one or more newspapers of general circulation within the district,
8 by June 1 of the year in which the first levy of the seventh through
9 twelfth year period is to be made. If within ninety days of the date
10 of publication a petition is filed with the county auditor containing
11 the signatures of eight percent of the number of voters registered
12 and voting in the port district for the office of the governor at the
13 last preceding gubernatorial election, the county auditor shall
14 canvass the signatures in the same manner as prescribed in RCW
15 ((~~29.79.200~~)) 29A.72.230 and certify their sufficiency to the port
16 commission within two weeks. The proposition to make these levies in
17 the seventh through twelfth year period shall be submitted to the
18 voters of the port district at a special election, called for this
19 purpose, no later than the date on which a primary election would be
20 held under RCW ((~~29.13.070~~)) 29A.04.311. The levies may be made in
21 the seventh through twelfth year period only if approved by a
22 majority of the voters of the port district voting on the
23 proposition.

24 **Sec. 85.** RCW 54.08.060 and 1994 c 223 s 55 are each amended to
25 read as follows:

26 Whenever a proposition for the formation of a public utility
27 district is to be submitted to voters in any county, the county
28 legislative authority may by resolution call a special election, and
29 at the request of petitioners for the formation of such district
30 contained in the petition shall do so and shall provide for holding
31 the same at the earliest practicable time. If the boundaries of the
32 proposed district embrace an area less than the entire county, such
33 election shall be confined to the area so included. The notice of
34 such election shall state the boundaries of the proposed district and
35 the object of such election; in other respects, such election shall
36 be held and called in the same manner as provided by law for the
37 holding and calling of general elections: PROVIDED, That notice
38 thereof shall be given for not less than ten days nor more than
39 thirty days prior to such special election. In submitting the

1 proposition to the voters for their approval or rejection, such
2 proposition shall be expressed on the ballots in substantially the
3 following terms:

- 4 Public Utility District No. YES
- 5 Public Utility District No. NO

6 At the same special election on the proposition to form a public
7 utility district, there shall also be an election for three public
8 utility district commissioners. However, the election of such
9 commissioners shall be null and void if the proposition to form the
10 public utility district does not receive approval by a majority of
11 the voters voting on the proposition. No primary shall be held. A
12 special filing period shall be opened as provided in RCW ((~~29.15.170~~
13 ~~and 29.15.180~~)) 29A.24.171 and 29A.24.181. The person receiving the
14 greatest number of votes for the commissioner of each commissioner
15 district shall be elected as the commissioner of that district.
16 Commissioner districts shall be established as provided in RCW
17 54.12.010. The terms of the initial commissioners shall be staggered
18 as follows: (1) The person who is elected receiving the greatest
19 number of votes shall be elected to a six-year term of office if the
20 election is held in an even-numbered year or a five-year term if the
21 election is held in an odd-numbered year; (2) the person who is
22 elected receiving the next greatest number of votes shall be elected
23 to a four-year term of office if the election is held in an even-
24 numbered year or a three-year term of office if the election is held
25 in an odd-numbered year; and (3) the other person who is elected
26 shall be elected to a two-year term of office if the election is held
27 in an even-numbered year or a one-year term of office if the election
28 is held in an odd-numbered year. The commissioners first to be
29 elected at such special election shall assume office immediately when
30 they are elected and qualified, but the length of their terms of
31 office shall be calculated from the first day in January in the year
32 following their elections.

33 The term "general election" as used herein means biennial general
34 elections at which state and county officers in a noncharter county
35 are elected.

36 **Sec. 86.** RCW 54.40.070 and 1994 c 223 s 61 are each amended to
37 read as follows:

1 Within thirty days after the public utility district commission
2 divides the district into District A and District B, the county
3 legislative authority shall call a special election, to be held at
4 the next special election date provided for under RCW (~~(29.13.010)~~)
5 29A.04.321 that occurs sixty or more days after the call, at which
6 time the initial commissioners for District A and District B shall be
7 elected. No primary shall be held and a special filing period shall
8 be opened as provided in RCW (~~(29.15.170 and 29.15.180)~~) 29A.24.171
9 and 29A.24.181. The person receiving the greatest number of votes for
10 each position shall be elected.

11 The person who is elected receiving the greatest number of votes
12 shall be elected to a four-year term of office, and the other person
13 who is elected shall be elected to a two-year term of office, if the
14 election is held in an even-numbered year, or the person who is
15 elected receiving the greatest number of votes shall be elected to a
16 three-year term of office, and the other person who is elected shall
17 be elected to a one-year term of office, if the election is held in
18 an odd-numbered year. The length of these terms of office shall be
19 calculated from the first day in January in the year following their
20 elections.

21 The newly elected commissioners shall assume office immediately
22 after being elected and qualified and shall serve until their
23 successors are elected and qualified and assume office in accordance
24 with RCW (~~(29.04.170)~~) 29A.60.280. Each successor shall be elected to
25 a four-year term of office.

26 **Sec. 87.** RCW 57.04.140 and 1997 c 447 s 4 are each amended to
27 read as follows:

28 (1) As an alternative means to forming a water-sewer district, a
29 county legislative authority may authorize the formation of a water-
30 sewer district to serve a new development that at the time of
31 formation does not have any residents, at written request of sixty
32 percent of the owners of the area to be included in the proposed
33 district. The county legislative authority shall review the proposed
34 district according to the procedures and criteria in RCW 57.02.040.

35 (2) The county legislative authority shall appoint the initial
36 water-sewer commissioners of the district. The commissioners shall
37 serve until seventy-five percent of the development is sold and
38 occupied, or until some other time as specified by the county
39 legislative authority when the district is approved. Commissioners

1 serving under this section are not entitled to any form of
2 compensation from the district.

3 (3) New commissioners shall be elected according to the
4 procedures in chapter 57.12 RCW at the next election held under RCW
5 (~~29.13.010~~) 29A.04.321 that follows more than ninety days after the
6 date seventy-five percent of the development is sold and occupied, or
7 after the time specified by the county legislative authority when the
8 district is approved.

9 (4) A water-sewer district created under this section may be
10 transferred to a city or county, or dissolved if the district is
11 inactive, by order of the county legislative authority at the written
12 request of sixty percent of the owners of the area included in the
13 district.

14 **Sec. 88.** RCW 57.12.030 and 1996 c 230 s 403 are each amended to
15 read as follows:

16 Except as in this section otherwise provided, the term of office
17 of each district commissioner shall be six years, such term to be
18 computed from the first day of January following the election, and
19 commissioners shall serve until their successors are elected and
20 qualified and assume office in accordance with RCW (~~29.04.170~~)
21 29A.60.280.

22 Three initial district commissioners shall be elected at the same
23 election at which the proposition is submitted to the voters as to
24 whether such district shall be formed. The election of initial
25 district commissioners shall be null and void if the ballot
26 proposition to form the district is not approved. Each candidate
27 shall run for one of three separate commissioner positions. A special
28 filing period shall be opened as provided in RCW (~~29.15.170~~ and
29 ~~29.15.180~~) 29A.24.171 and 29A.24.181. The person receiving the
30 greatest number of votes for each position shall be elected to that
31 position.

32 The initial district commissioners shall assume office
33 immediately when they are elected and qualified. Staggering of the
34 terms of office for the initial district commissioners shall be
35 accomplished as follows: (1) The person who is elected receiving the
36 greatest number of votes shall be elected to a six-year term of
37 office if the election is held in an odd-numbered year or a five-year
38 term of office if the election is held in an even-numbered year; (2)
39 the person who is elected receiving the next greatest number of votes

1 shall be elected to a four-year term of office if the election is
2 held in an odd-numbered year or a three-year term of office if the
3 election is held in an even-numbered year; and (3) the other person
4 who is elected shall be elected to a two-year term of office if the
5 election is held in an odd-numbered year or a one-year term of office
6 if the election is held in an even-numbered year. The terms of office
7 shall be calculated from the first day of January after the election.

8 Thereafter, commissioners shall be elected to six-year terms of
9 office. Commissioners shall serve until their successors are elected
10 and qualified and assume office in accordance with RCW ((29.04.170))
11 29A.60.280.

12 **Sec. 89.** RCW 57.12.039 and 2001 c 63 s 4 are each amended to
13 read as follows:

14 (1) Notwithstanding RCW 57.12.020 and 57.12.030, the board of
15 commissioners may provide by majority vote that subsequent
16 commissioners be elected from commissioner districts within the
17 district. If the board exercises this option, it shall divide the
18 district into three, five, or seven if the number of commissioners
19 has been increased under RCW 57.12.015, commissioner districts of
20 approximately equal population following current precinct and
21 district boundaries.

22 (2) Commissioner districts shall be used as follows: (a) Only a
23 registered voter who resides in a commissioner district may be a
24 candidate for, or serve as, a commissioner of the commissioner
25 district; and (b) only voters of a commissioner district may vote at
26 a primary to nominate candidates for a commissioner of the
27 commissioner district. Voters of the entire district may vote at a
28 general election to elect a person as a commissioner of the
29 commissioner district. Commissioner districts shall be redrawn as
30 provided in chapter ((29.70)) 29A.76 RCW.

31 (3) In districts in which commissioners are nominated from
32 commissioner districts, at the inception of a five-member or a seven-
33 member board of commissioners, the new commissioner districts shall
34 be numbered one through five or one through seven and the incumbent
35 commissioners shall represent up to five commissioner districts
36 depending on the amount of commissioners. If, as a result of
37 redrawing the district boundaries two or three of the incumbent
38 commissioners reside in one of the new commissioner districts, the
39 commissioners who reside in the same commissioner district shall

1 determine by lot which of the first three or five numbered
2 commissioner districts they shall represent for the remainder of
3 their respective terms. A primary shall be held to nominate
4 candidates from the remaining districts where necessary and
5 commissioners shall be elected at large at the general election. The
6 persons elected as commissioners from the remaining commissioner
7 districts shall take office immediately after qualification as
8 defined under RCW (~~(29.01.135)~~) 29A.04.133.

9 **Sec. 90.** RCW 57.24.190 and 1996 c 230 s 910 are each amended to
10 read as follows:

11 The annexation resolution under RCW 57.24.180 shall be subject to
12 referendum for forty-five days after the passage thereof. Upon the
13 filing of a timely and sufficient referendum petition with the board
14 of commissioners, signed by registered voters in number equal to not
15 less than ten percent of the registered voters in the area to be
16 annexed who voted in the last municipal general election, the
17 question of annexation shall be submitted to the voters of such area
18 in a general election if one is to be held within ninety days or at a
19 special election called for that purpose by the board of
20 commissioners in accordance with RCW (~~(29.13.010 and 29.13.020)~~)
21 29A.04.321 and 29A.04.330. Notice of that election shall be given
22 under RCW 57.24.020 and the election shall be conducted under RCW
23 57.24.040. The annexation shall be deemed approved by the voters
24 unless a majority of the votes cast on the proposition are in
25 opposition thereto.

26 After the expiration of the forty-fifth day from but excluding
27 the date of passage of the annexation resolution, if no timely and
28 sufficient referendum petition has been filed, the area annexed shall
29 become a part of the district upon the date fixed in the resolution
30 of annexation upon transmitting the resolution to the county
31 legislative authority.

32 **Sec. 91.** RCW 67.38.130 and 1984 c 131 s 4 are each amended to
33 read as follows:

34 The governing body of a cultural arts, stadium and convention
35 district may levy or cause to levy the following ad valorem taxes:

36 (1) Regular ad valorem property tax levies in an amount equal to
37 twenty-five cents or less per thousand dollars of the assessed value
38 of property in the district in each year for six consecutive years

1 when specifically authorized so to do by a majority of at least
2 three-fifths of the electors thereof approving a proposition
3 authorizing the levies submitted at a general or special election, at
4 which election the number of persons voting "yes" on the proposition
5 shall constitute three-fifths of a number equal to forty percentum of
6 the total votes cast in such taxing district at the last preceding
7 general election; or by a majority of at least three-fifths of the
8 electors thereof voting on the proposition when the number of
9 electors voting yes on the proposition exceeds forty percentum of the
10 total votes cast in such taxing district in the last preceding
11 general election. Ballot propositions shall conform with RCW
12 ((~~29.30.111~~)) 29A.36.210.

13 In the event a cultural arts, stadium and convention district is
14 levying property taxes, which in combination with property taxes
15 levied by other taxing districts subject to the one percent
16 limitation provided for in Article VII, section 2, of our state
17 Constitution result in taxes in excess of the limitation provided for
18 in RCW 84.52.043, the cultural arts, stadium and convention district
19 property tax levy shall be reduced or eliminated before the property
20 tax levies of other taxing districts are reduced: PROVIDED, That no
21 cultural arts, stadium, and convention district may pledge
22 anticipated revenues derived from the property tax herein authorized
23 as security for payments of bonds issued pursuant to subsection (1)
24 of this section: PROVIDED, FURTHER, That such limitation shall not
25 apply to property taxes approved pursuant to subsections (2) and (3)
26 of this section.

27 The limitation in RCW 84.55.010 shall apply to levies after the
28 first levy authorized under this section following the approval of
29 such levy by voters pursuant to this section.

30 (2) An annual excess ad valorem property tax for general district
31 purposes when authorized by the district voters in the manner
32 prescribed by section 2, Article VII of the Constitution and by RCW
33 84.52.052.

34 (3) Multi-year excess ad valorem property tax levies used to
35 retire general obligation bond issues when authorized by the district
36 voters in the manner prescribed by section 2, Article VII of the
37 Constitution and by RCW 84.52.056.

38 The district shall include in its regular property tax levy for
39 each year a sum sufficient to pay the interest and principal on all
40 outstanding general obligation bonds issued without voter approval

1 pursuant to RCW 67.38.110 and may include a sum sufficient to create
2 a sinking fund for the redemption of all outstanding bonds.

3 **Sec. 92.** RCW 68.52.250 and 1990 c 259 s 34 are each amended to
4 read as follows:

5 Special elections submitting propositions to the registered
6 voters of the district may be called at any time by resolution of the
7 cemetery commissioners in accordance with RCW (~~29.13.010 and~~
8 ~~29.13.020~~) 29A.04.321 and 29A.04.330, and shall be called, noticed,
9 held, conducted and canvassed in the same manner and by the same
10 officials as provided for the election to determine whether the
11 district shall be created.

12 **Sec. 93.** RCW 70.44.047 and 1997 c 99 s 6 are each amended to
13 read as follows:

14 If, as the result of redrawing the boundaries of commissioner
15 districts as permitted or required under the provisions of this
16 chapter, chapter (~~29.70~~) 29A.76 RCW, or any other statute, more
17 than the correct number of commissioners who are associated with
18 commissioner districts reside in the same commissioner district, a
19 commissioner or commissioners residing in that redrawn commissioner
20 district equal in number to the number of commissioners in excess of
21 the correct number shall be assigned to the drawn commissioner
22 district or districts in which less than the correct number of
23 commissioners associated with commissioner districts reside. The
24 commissioner or commissioners who are so assigned shall be those with
25 the shortest unexpired term or terms of office, but if the number of
26 such commissioners with the same terms of office exceeds the number
27 that are to be assigned, the board of commissioners shall select by
28 lot from those commissioners which one or ones are assigned. A
29 commissioner who is so assigned shall be deemed to be a resident of
30 the commissioner district to which he or she is assigned for purposes
31 of determining whether a position is vacant.

32 **Sec. 94.** RCW 70.44.056 and 1997 c 99 s 5 are each amended to
33 read as follows:

34 In all existing public hospital districts in which an increase in
35 the number of district commissioners is proposed, the additional
36 commissioner positions shall be deemed to be vacant and the board of

1 commissioners of the public hospital district shall appoint qualified
2 persons to fill those vacancies in accordance with RCW 42.12.070.

3 Each person who is appointed shall serve until a qualified person
4 is elected at the next general election of the district occurring one
5 hundred twenty days or more after the date of the election at which
6 the voters of the district approved the ballot proposition
7 authorizing the increase in the number of commissioners. If needed,
8 special filing periods shall be authorized as provided in RCW
9 (~~29.15.170 and 29.15.180~~) 29A.24.171 and 29A.24.181 for qualified
10 persons to file for the vacant office. A primary shall be held to
11 nominate candidates if sufficient time exists to hold a primary and
12 more than two candidates file for the vacant office. Otherwise, no
13 primary shall be held and the candidate receiving the greatest number
14 of votes for each position shall be elected. Except for the initial
15 terms of office, persons elected to each of these additional
16 commissioner positions shall be elected to a six-year term. The newly
17 elected commissioners shall assume office as provided in RCW
18 (~~29.04.170~~) 29A.60.280.

19 The initial terms of the new commissioners shall be staggered as
20 follows: (1) When the number of commissioners is increased from three
21 to five, the person elected receiving the greatest number of votes
22 shall be elected to a six-year term of office, and the other person
23 shall be elected to a four-year term; (2) when the number of
24 commissioners is increased from three or five to seven, the terms of
25 the new commissioners shall be staggered over the next three district
26 general elections so that two commissioners will be elected at the
27 first district general election following the election where the
28 additional commissioners are elected, two commissioners will be at
29 the second district general election after the election of the
30 additional commissioners, and three commissioners will be elected at
31 the third district general election following the election of the
32 additional commissioners, with the persons elected receiving the
33 greatest number of votes elected to serve the longest terms.

34 **Sec. 95.** RCW 80.36.390 and 1987 c 229 s 13 are each amended to
35 read as follows:

36 (1) As used in this section, "telephone solicitation" means the
37 unsolicited initiation of a telephone call by a commercial or
38 nonprofit company or organization to a residential telephone customer
39 and conversation for the purpose of encouraging a person to purchase

1 property, goods, or services or soliciting donations of money,
2 property, goods, or services. "Telephone solicitation" does not
3 include:

4 (a) Calls made in response to a request or inquiry by the called
5 party. This includes calls regarding an item that has been purchased
6 by the called party from the company or organization during a period
7 not longer than twelve months prior to the telephone contact;

8 (b) Calls made by a not-for-profit organization to its own list
9 of bona fide or active members of the organization;

10 (c) Calls limited to polling or soliciting the expression of
11 ideas, opinions, or votes; or

12 (d) Business-to-business contacts.

13 For purposes of this section, each individual real estate agent
14 or insurance agent who maintains a separate list from other
15 individual real estate or insurance agents shall be treated as a
16 company or organization. For purposes of this section, an
17 organization as defined in RCW (~~(29.01.090 or 29.01.100)~~) 29A.04.086
18 or 29A.04.097 and organized pursuant to chapter 29A.80 RCW
19 (~~(29.42.010)~~) shall not be considered a commercial or nonprofit
20 company or organization.

21 (2) A person making a telephone solicitation must identify him or
22 herself and the company or organization on whose behalf the
23 solicitation is being made and the purpose of the call within the
24 first thirty seconds of the telephone call.

25 (3) If, at any time during the telephone contact, the called
26 party states or indicates that he or she does not wish to be called
27 again by the company or organization or wants to have his or her name
28 and individual telephone number removed from the telephone lists used
29 by the company or organization making the telephone solicitation,
30 then:

31 (a) The company or organization shall not make any additional
32 telephone solicitation of the called party at that telephone number
33 within a period of at least one year; and

34 (b) The company or organization shall not sell or give the called
35 party's name and telephone number to another company or organization:
36 PROVIDED, That the company or organization may return the list,
37 including the called party's name and telephone number, to the
38 company or organization from which it received the list.

1 (4) A violation of subsection (2) or (3) of this section is
2 punishable by a fine of up to one thousand dollars for each
3 violation.

4 (5) The attorney general may bring actions to enforce compliance
5 with this section. For the first violation by any company or
6 organization of this section, the attorney general shall notify the
7 company with a letter of warning that the section has been violated.

8 (6) A person aggrieved by repeated violations of this section may
9 bring a civil action in superior court to enjoin future violations,
10 to recover damages, or both. The court shall award damages of at
11 least one hundred dollars for each individual violation of this
12 section. If the aggrieved person prevails in a civil action under
13 this subsection, the court shall award the aggrieved person
14 reasonable attorneys' fees and cost of the suit.

15 (7) The utilities and transportation commission shall by rule
16 ensure that telecommunications companies inform their residential
17 customers of the provisions of this section. The notification may be
18 made by (a) annual inserts in the billing statements mailed to
19 residential customers, or (b) conspicuous publication of the notice
20 in the consumer information pages of local telephone directories.

21 **Sec. 96.** RCW 80.52.050 and 1982 c 88 s 1 are each amended to
22 read as follows:

23 The election required under RCW 80.52.040 shall be conducted in
24 the manner provided in this section.

25 (1)(a) If the applicant is a public utility district, joint
26 operating agency, city, or county, the election shall be among the
27 voters of the public utility district, city, or county, or among the
28 voters of the local governmental entities comprising the membership
29 of the joint operating agency.

30 (b) If the applicant is any public agency other than those
31 described in subsection (1)(a) of this section, or is an assignee of
32 a joint operating agency and not itself a joint operating agency, the
33 election shall be conducted statewide in the manner provided in Title
34 29A RCW for statewide elections.

35 (2) The election shall be held at the next statewide general
36 election occurring more than ninety days after submission of a
37 request by an applicant to the secretary of state unless a special
38 election is requested by the applicant as provided in this section.

1 (3) If no statewide election can be held under subsection (2) of
2 this section within one hundred twenty days of the submission to the
3 secretary of state of a request by an applicant for financing
4 authority under this chapter, the applicant may request that a
5 special election be held if such election is necessary to avoid
6 significant delay in construction or acquisition of the energy
7 project. Within ten days of receipt of such a request for a special
8 election, the secretary of state shall designate a date for the
9 election pursuant to RCW (~~(29.13.010)~~) 29A.04.321 and certify the
10 date to the county auditor of each county in which an election is to
11 be held under this section.

12 (4) Prior to an election under this section, the applicant shall
13 submit to the secretary of state a cost-effectiveness study, prepared
14 by an independent consultant approved by the state finance committee,
15 pertaining to the major public energy project under consideration.
16 The study shall be available for public review and comment for thirty
17 days. At the end of the thirty-day period, the applicant shall
18 prepare a final draft of the study which includes the public comment,
19 if any.

20 (5) The secretary of state shall certify the ballot issue for the
21 election to be held under this section to the county auditor of each
22 county in which an election is to be held. The certification shall
23 include the statement of the proposition as provided in RCW
24 80.52.060. The costs of the election shall be relieved by the
25 applicant in the manner provided by RCW (~~(29.13.045)~~) 29A.04.410. In
26 addition, the applicant shall reimburse the secretary of state for
27 the applicant's share of the costs related to the preparation and
28 distribution of the voters' pamphlet required by subsection (6) of
29 this section and such other costs as are attributable to any election
30 held pursuant to this section.

31 (6) Prior to an election under this section, the secretary of
32 state shall provide an opportunity for supporters and opponents of
33 the requested financing authority to present their respective views
34 in a voters' pamphlet which shall be distributed to the voters of the
35 local governmental entities participating in the election. Upon
36 submission of an applicant's request for an election pursuant to this
37 section, the applicant shall provide the secretary of state with the
38 following information regarding each major public energy project for
39 which the applicant seeks financing authority at such election, which
40 information shall be included in the voters' pamphlet:

1 (a) The name, location, and type of major public energy project,
2 expressed in common terms;

3 (b) The dollar amount and type of bonds being requested;

4 (c) If the bond issuance is intended to finance the acquisition
5 of all or a portion of the project, the anticipated total cost of the
6 acquisition of the project;

7 (d) If the bond issuance is intended to finance the planning or
8 construction of all or a portion of the project, the anticipated
9 total cost of construction of the project;

10 (e) The projected average rate increase for consumers of the
11 electricity to be generated by the project. The rate increase shall
12 be that which will be necessary to repay the total indebtedness
13 incurred for the project, including estimated interest;

14 (f) A summary of the final cost-effectiveness study conducted
15 under subsection (4) of this section;

16 (g) The anticipated functional life of the project;

17 (h) The anticipated decommissioning costs of the project; and

18 (i) If a special election is requested by the applicant, the
19 reasons for requesting a special election.

20 **Sec. 97.** RCW 82.14.036 and 1983 c 99 s 2 are each amended to
21 read as follows:

22 Any referendum petition to repeal a county or city ordinance
23 imposing a tax or altering the rate of the tax authorized under RCW
24 82.14.030(2) shall be filed with a filing officer, as identified in
25 the ordinance, within seven days of passage of the ordinance. Within
26 ten days, the filing officer shall confer with the petitioner
27 concerning form and style of the petition, issue an identification
28 number for the petition, and write a ballot title for the measure.
29 The ballot title shall be posed as a question so that an affirmative
30 answer to the question and an affirmative vote on the measure results
31 in the tax or tax rate increase being imposed and a negative answer
32 to the question and a negative vote on the measure results in the tax
33 or tax rate increase not being imposed. The petitioner shall be
34 notified of the identification number and ballot title within this
35 ten-day period.

36 After this notification, the petitioner shall have thirty days in
37 which to secure on petition forms the signatures of not less than
38 fifteen percent of the registered voters of the county for county
39 measures, or not less than fifteen percent of the registered voters

1 of the city for city measures, and to file the signed petitions with
2 the filing officer. Each petition form shall contain the ballot title
3 and the full text of the measure to be referred. The filing officer
4 shall verify the sufficiency of the signatures on the petitions. If
5 sufficient valid signatures are properly submitted, the filing
6 officer shall submit the referendum measure to the county or city
7 voters at a general or special election held on one of the dates
8 provided in RCW ((~~29.13.010~~)) 29A.04.321 as determined by the county
9 legislative authority or city council, which election shall not take
10 place later than one hundred twenty days after the signed petition
11 has been filed with the filing officer.

12 After April 22, 1983, the referendum procedure provided in this
13 section shall be the exclusive method for subjecting any county or
14 city ordinance imposing a tax or altering the rate under RCW
15 82.14.030(2) to a referendum vote.

16 Any county or city tax authorized under RCW 82.14.030(2) that has
17 been imposed prior to April 22, 1983, is not subject to the
18 referendum procedure provided for in this section.

19 **Sec. 98.** RCW 82.46.021 and 2000 c 103 s 16 are each amended to
20 read as follows:

21 Any referendum petition to repeal a county or city ordinance
22 imposing a tax or altering the rate of the tax authorized under RCW
23 82.46.010(3) shall be filed with a filing officer, as identified in
24 the ordinance, within seven days of passage of the ordinance. Within
25 ten days, the filing officer shall confer with the petitioner
26 concerning form and style of the petition, issue an identification
27 number for the petition, and write a ballot title for the measure.
28 The ballot title shall be posed as a question so that an affirmative
29 answer to the question and an affirmative vote on the measure results
30 in the tax or tax rate increase being imposed and a negative answer
31 to the question and a negative vote on the measure results in the tax
32 or tax rate increase not being imposed. The petitioner shall be
33 notified of the identification number and ballot title within this
34 ten-day period.

35 After this notification, the petitioner shall have thirty days in
36 which to secure on petition forms the signatures of not less than
37 fifteen percent of the registered voters of the county for county
38 measures, or not less than fifteen percent of the registered voters
39 of the city for city measures, and to file the signed petitions with

1 the filing officer. Each petition form shall contain the ballot title
2 and the full text of the measure to be referred. The filing officer
3 shall verify the sufficiency of the signatures on the petitions. If
4 sufficient valid signatures are properly submitted, the filing
5 officer shall submit the referendum measure to the county or city
6 voters at a general or special election held on one of the dates
7 provided in RCW ((~~29.13.010~~)) 29A.04.321 as determined by the county
8 legislative authority or city council, which election shall not take
9 place later than one hundred twenty days after the signed petition
10 has been filed with the filing officer.

11 After April 22, 1983, the referendum procedure provided for in
12 this section shall be the exclusive method for subjecting any county
13 or city ordinance imposing a tax or increasing the rate under RCW
14 82.46.010(3) to a referendum vote.

15 Any county or city tax authorized under RCW 82.46.010(3) that has
16 been imposed prior to April 22, 1983, is not subject to the
17 referendum procedure provided for in this section.

18 **Sec. 99.** RCW 82.80.090 and 1990 c 42 s 214 are each amended to
19 read as follows:

20 A referendum petition to repeal a county or city ordinance
21 imposing a tax or fee authorized under RCW ((~~82.80.020~~—and))
22 82.80.030 must be filed with a filing officer, as identified in the
23 ordinance, within seven days of passage of the ordinance. Within ten
24 days, the filing officer shall confer with the petitioner concerning
25 form and style of the petition, issue an identification number for
26 the petition, and write a ballot title for the measure. The ballot
27 title shall be posed as a question so that an affirmative answer to
28 the question and an affirmative vote on the measure results in the
29 tax or fee being imposed and a negative answer to the question and a
30 negative vote on the measure results in the tax or fee not being
31 imposed. The petitioner shall be notified of the identification
32 number and ballot title within this ten-day period.

33 After this notification, the petitioner has thirty days in which
34 to secure on petition forms the signatures of not less than fifteen
35 percent of the registered voters of the county for county measures,
36 or not less than fifteen percent of the registered voters of the city
37 for city measures, and to file the signed petitions with the filing
38 officer. Each petition form must contain the ballot title and the
39 full text of the measure to be referred. The filing officer shall

1 verify the sufficiency of the signatures on the petitions. If
2 sufficient valid signatures are properly submitted, the filing
3 officer shall submit the referendum measure to the county or city
4 voters at a general or special election held on one of the dates
5 provided in RCW ((~~29.13.010~~)) 29A.04.321 as determined by the county
6 or city legislative authority, which election shall not take place
7 later than one hundred twenty days after the signed petition has been
8 filed with the filing officer.

9 The referendum procedure provided in this section is the
10 exclusive method for subjecting any county or city ordinance imposing
11 a tax or fee under RCW ((~~82.80.020 and~~)) 82.80.030 to a referendum
12 vote.

13 **Sec. 100.** RCW 85.38.060 and 1991 c 349 s 10 are each amended to
14 read as follows:

15 The county legislative authority or authorities shall cause an
16 election on the question of creating the special district to be held
17 if findings as provided in RCW 85.38.050 are made. The county
18 legislative authority or authorities shall designate a time and date
19 for such election, which shall be one of the special election dates
20 provided for in RCW ((~~29.13.020~~)) 29A.04.330, together with the site
21 or sites at which votes may be cast. The persons allowed to vote on
22 the creation of a special district shall be those persons who, if the
23 special district were created, would be qualified voters of the
24 special district as described in RCW 85.38.010. The county auditor or
25 auditors of the counties within which the proposed special district
26 is located shall conduct the election and prepare a list of presumed
27 eligible voters.

28 Notices for the election shall be published as provided in RCW
29 85.38.040. The special district shall be created if the proposition
30 to create the special district is approved by a simple majority vote
31 of the voters voting on the proposition and the special district may
32 assume operations whenever the initial members of the governing body
33 are appointed as provided in RCW 85.38.070.

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

37 If the special district is created, the county or counties may
38 charge the special district for the costs incurred by the county
39 engineer or engineers pursuant to RCW 85.38.030 and the costs of the

1 auditor or auditors related to the election to authorize the creation
2 of the special district pursuant to this section. Such county actions
3 shall be deemed to be special benefits of the property located within
4 the special district that are paid through the imposition of special
5 assessments.

6 **Sec. 101.** RCW 85.38.070 and 1991 c 349 s 11 are each amended to
7 read as follows:

8 (1) Except as provided in RCW 85.38.090, each special district
9 shall be governed by a three-member governing body. The term of
10 office for each member of a special district governing body shall be
11 six years and until his or her successor is elected and qualified.
12 One member of the governing body shall be elected at the time of
13 special district general elections in each even-numbered year for a
14 term of six years beginning as soon as the election returns have been
15 certified for assumption of office by elected officials of cities.

16 (2) The terms of office of members of the governing bodies of
17 special districts, who are holding office on July 28, 1985, shall be
18 altered to provide staggered six-year terms as provided in this
19 subsection. The member who on July 28, 1985, has the longest term
20 remaining shall have his or her term altered so that the position
21 will be filled at the February 1992, special district general
22 election; the member with the second longest term remaining shall
23 have his or her term altered so that the position will be filled at
24 the December, 1989, special district general election; and the member
25 with the third longest term of office shall have his or her term
26 altered so that the position will be filled at the December, 1987,
27 special district general election.

28 (3) The initial members of the governing body of a newly created
29 special district shall be appointed by the legislative authority of
30 the county within which the special district, or the largest portion
31 of the special district, is located. These initial governing body
32 members shall serve until their successors are elected and qualified
33 at the next special district general election held at least ninety
34 days after the special district is established. At that election the
35 first elected members of the governing body shall be elected. No
36 primary elections may be held. Any voter of a special district may
37 become a candidate for such a position by filing written notice of
38 this intention with the county auditor at least thirty, but not more
39 than sixty, days before a special district general election. The

1 county auditor in consultation with the special district shall
2 establish the filing period. The names of all candidates for such
3 positions shall be listed alphabetically. At this first election, the
4 candidate receiving the greatest number of votes shall have a six-
5 year term, the candidate receiving the second greatest number of
6 votes shall have a four-year term, and the candidate receiving the
7 third greatest number of votes shall have a two-year term of office.
8 The initially elected members of a governing body shall take office
9 immediately when qualified as defined in RCW ((29.01.135))
10 29A.04.133. Thereafter the candidate receiving the greatest number of
11 votes shall be elected for a six-year term of office. Members of a
12 governing body shall hold their office until their successors are
13 elected and qualified, and assume office as soon as the election
14 returns have been certified.

15 (4) The requirements for the filing period and method for filing
16 declarations of candidacy for the governing body of the district and
17 the arrangement of candidate names on the ballot for all special
18 district elections conducted after the initial election in the
19 district shall be the same as the requirements for the initial
20 election in the district. No primary elections may be held for the
21 governing body of a special district.

22 (5) Whenever a vacancy occurs in the governing body of a special
23 district, the legislative authority of the county within which the
24 special district, or the largest portion of the special district, is
25 located, shall appoint a district voter to serve until a person is
26 elected, at the next special district general election occurring
27 sixty or more days after the vacancy has occurred, to serve the
28 remainder of the unexpired term. The person so elected shall take
29 office immediately when qualified as defined in RCW ((29.01.135))
30 29A.04.133.

31 If an election for the position which became vacant would
32 otherwise have been held at this special district election, only one
33 election shall be held and the person elected to fill the succeeding
34 term for that position shall take office immediately when qualified
35 as defined in RCW ((29.01.135)) 29A.04.133 and shall serve both the
36 remainder of the unexpired term and the succeeding term. A vacancy
37 occurs upon the death, resignation, or incapacity of a governing body
38 member or whenever the governing body member ceases being a qualified
39 voter of the special district.

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

7 **Sec. 102.** RCW 86.15.050 and 2003 c 304 s 1 are each amended to
8 read as follows:

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

14 (2) When proposed by citizen petition or by resolution of the
15 board of county commissioners, a ballot proposition authorizing
16 election of the supervisors of a zone shall be submitted by ordinance
17 to the voters residing in the zone at any general election, or at any
18 special election which may be called for that purpose.

19 (3) The ballot proposition shall be submitted (a) if the board of
20 county supervisors enacts an ordinance submitting the proposition
21 after adopting a resolution proposing the election of supervisors of
22 a zone; or (b) if a petition proposing the election of supervisors of
23 a zone is submitted to the county auditor of the county in which the
24 zone is located that is signed by registered voters within the zone,
25 numbering at least fifteen percent of the votes cast in the last
26 county general election by registered voters within the zone.

27 (4) Upon receipt of a citizen petition under subsection (3)(b) of
28 this section, the county auditor shall determine whether the petition
29 is signed by a sufficient number of registered voters, using the
30 registration records and returns of the preceding general election,
31 and, no later than forty-five days after receipt of the petition,
32 shall attach to the petition the auditor's certificate stating
33 whether or not sufficient signatures have been obtained. If the
34 signatures are found by the auditor to be insufficient, the petition
35 shall be returned to the person filing it.

36 (5) The ballot proposition authorizing election of supervisors of
37 zones shall appear on the ballot of the next general election or at
38 the next special election date specified under RCW ((29.13.020))
39 29A.04.330 occurring sixty or more days after the last resolution

1 proposing election of supervisors or the date the county auditor
2 certifies that the petition proposing such election contains
3 sufficient valid signatures.

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

8 "For the direct election of flood control zone district
9 supervisors."

10 "Against the direct election of flood control zone district
11 supervisors."

12 (7) The ordinance or petition submitting the ballot proposition
13 shall designate the proposed composition of the supervisors of zones,
14 which shall be clearly described in the ballot proposition. The
15 ballot proposition shall state that the zone supervisors shall
16 thereafter be selected by election, and, at the same election at
17 which the proposition is submitted to the voters as to whether to
18 elect zone supervisors, three zone supervisors shall be elected. The
19 election of zone supervisors is null and void if the voters, by a
20 simple majority, do not approve the direct election of the zone
21 supervisors. Candidates shall run for specific supervisor positions.
22 No primary may be held to nominate candidates. The person receiving
23 the greatest number of votes for each position shall be elected as a
24 supervisor. The staggering of the terms of office shall occur as
25 follows: (a) The person who is elected receiving the greatest number
26 of votes shall be elected to a six-year term of office if the
27 election is held in an odd-numbered year or a five-year term of
28 office if the election is held in an even-numbered year; (b) the
29 person who is elected receiving the second greatest number of votes
30 shall be elected to a four-year term of office if the election is
31 held in an odd-numbered year or a three-year term of office if the
32 election is held in an even-numbered year; and (c) the other person
33 who is elected shall be elected to a two-year term of office if the
34 election is held in an odd-numbered year or a one-year term of office
35 if the election is held in an even-numbered year. The initial
36 supervisors shall take office immediately when they are elected and
37 qualified, and for purposes of computing their terms of office the
38 terms shall be assumed to commence on the first day of January in the
39 year after they are elected. Thereafter, all supervisors shall be

1 elected to six-year terms of office. All supervisors shall serve
2 until their respective successors are elected and qualified and
3 assume office in accordance with RCW (~~(29.04.170)~~) 29A.60.280.
4 Vacancies may occur and shall be filled as provided in chapter 42.12
5 RCW.

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

8 **Sec. 103.** RCW 87.03.083 and 1979 ex.s. c 185 s 15 are each
9 amended to read as follows:

10 Every member of an irrigation district board of directors is
11 subject to recall and discharge by the legal voters of such district
12 pursuant to the provisions of chapter (~~(29.82)~~) 29A.56 RCW.

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