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HOUSE BILL 1806

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Van Werven, Bergquist, Holy, Appleton, Gregory,  
and S. Hunt

Read first time 01/29/15. Referred to Committee on State Government.

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. . . . .



1 Date . . . . .

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

4 School District Directors

5 Position No. 1

6 Vote for One

- 7 .....
- 8 .....
- 9 .....

10 Position No. 2

11 Vote for One

- 12 .....
- 13 .....
- 14 .....

15 To Fill Unexpired Term

16 Position No. 3

17 2 (or 4) year term

18 Vote for One

- 19 .....
- 20 .....
- 21 .....

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

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

27 Notwithstanding RCW 42.12.010(4), a school director elected from  
28 a director district may continue to serve as a director from the  
29 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.04.310. 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.

--- END ---