

HOUSE BILL 1201

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Cooper, Wood, Rayburn, Edmondson, Franklin, Haugen, Nealey, Zellinsky, Wynne, Bray, Mitchell, Roland and Ferguson.

Read first time January 23, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to local government; amending RCW 2.32.180,
2 2.32.280, 3.30.020, 8.04.080, 9.73.220, 13.04.035, 13.04.093,
3 13.20.010, 13.20.060, 13.70.005, 19.27.160, 26.12.050, 27.24.062,
4 27.24.068, 28A.315.450, 28A.315.460, 28A.315.580, 28A.315.590,
5 28A.315.600, 28A.315.610, 28A.315.620, 28A.315.630, 29.13.060,
6 29.30.060, 29.42.050, 29.42.070, 29.82.060, 35.21.010, 35.21.422,
7 35.58.040, 35.58.273, 35.81.010, 35.82.285, 36.13.020, 36.13.100,
8 36.16.030, 36.16.030, 36.16.032, 36.16.050, 36.17.020, 36.24.175,
9 36.27.060, 36.32.240, 36.33.060, 36.33.065, 36.56.010, 36.57A.020,
10 36.58.030, 36.58.100, 36.64.070, 36.69.010, 36.78.020, 36.80.010,
11 36.93.030, 36.93.040, 36.93.051, 36.93.061, 36.93.063, 36.93.100,
12 36.95.020, 40.04.100, 41.14.065, 41.14.070, 41.14.210, 41.28.020,
13 43.99C.045, 53.12.010, 53.12.020, 53.12.035, 53.12.035, 53.31.020,
14 54.16.180, 56.04.120, 57.90.010, 67.28.090, 67.28.180, 67.28.240,
15 70.54.180, 70.94.055, 71.05.135, 74.20.210, 79.08.170, 81.100.030,
16 81.100.060, 81.104.030, 81.104.040, 81.104.140, 82.44.150, 87.19.020,
17 and 88.32.230; reenacting and amending RCW 28A.315.670, 28A.315.680,

1 70.94.053, 82.14.045, and 53.31.911; creating a new section; repealing
2 RCW 53.31.010, 53.31.020, 53.31.030, 53.31.040, 53.31.050, 53.31.060,
3 29.13.025, 36.13.010, 36.13.075, 36.13.080, 36.13.090, 36.93.920,
4 53.12.040, 53.12.044, 53.12.055, 53.12.160, and 53.12.210; providing
5 effective dates; and providing expiration dates.

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

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11 longer are followed, are repealed or amended to conform with current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

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

15 It shall be and is the duty of each and every superior court judge
16 in counties or judicial districts in the state of Washington having a
17 population of over thirty-five thousand inhabitants to appoint, or said
18 judge may, in any county or judicial district having a population of
19 over twenty-five thousand and less than thirty-five thousand, appoint
20 a stenographic reporter to be attached to the judge's court (~~helden by~~
21 ~~him~~) who shall have had at least three years' experience as a skilled,
22 practical reporter, or who upon examination shall be able to report and
23 transcribe accurately one hundred and seventy-five words per minute of
24 the judge's charge or two hundred words per minute of testimony each
25 for five consecutive minutes; said test of proficiency, in event of
26 inability to meet qualifications as to length of time of experience, to
27 be given by an examining committee composed of one judge of the

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

23 The stenographic reporter upon appointment shall thereupon become
24 an officer of the court and shall be designated and known as the
25 official reporter for the court or judicial district for which he or
26 she is appointed: PROVIDED, That in no event shall there be appointed
27 more official reporters in any one county or judicial district than
28 there are superior court judges in such county or judicial district;
29 the appointments in each (~~class AA~~) county with a population of one
30 million or more shall be made by the majority vote of the judges in

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

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

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

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

22 The provisions of chapters 3.30 through 3.74 RCW shall apply to
23 (~~class AA and class A counties~~) each county with a population of two
24 hundred ten thousand or more: PROVIDED, That any city having a
25 population of more than (~~five~~) four hundred thousand may by
26 resolution of its legislative body elect to continue to operate a
27 municipal court pursuant to the provisions of chapter 35.20 RCW, as if
28 chapters 3.30 through 3.74 RCW had never been enacted: PROVIDED

1 FURTHER, That if a city elects to continue its municipal court pursuant
2 to this section, the number of district judges allocated to the county
3 in RCW 3.34.010 shall be reduced by two and the number of full time
4 district judges allocated by RCW 3.34.020 to the district in which the
5 city is situated shall also be reduced by two. The provisions of
6 chapters 3.30 through 3.74 RCW may be made applicable to any county
7 (~~of the first, second, third, fourth, fifth, sixth, seventh, eighth,~~
8 ~~or ninth class~~) with a population of less than two hundred ten
9 thousand upon a majority vote of its (~~board of~~) county
10 (~~commissioners~~) legislative authority.

11 **Sec. 5.** RCW 8.04.080 and 1988 c 188 s 15 are each amended to read
12 as follows:

13 The order shall direct that determination be had of the
14 compensation and damages to be paid all parties interested in the land,
15 real estate, premises or other property sought to be appropriated for
16 the taking and appropriation thereof, together with the injury, if any,
17 caused by such taking and appropriation to the remainder of the lands,
18 real estate, premises, or other property from which the same is to be
19 taken and appropriated after offsetting against any and all such
20 compensation and damages the special benefits, if any, accruing to such
21 remainder by reason of the appropriation and the use by the state of
22 the lands, real estate, premises, and other property described in the
23 petition. The determination shall be made within thirty days after the
24 entry of such order, before a jury if trial by jury is demanded at the
25 hearing either by the petitioner or by the respondents, otherwise by
26 the court sitting without a jury. If no regular venire has been called
27 so as to be available to serve within such time on application of the
28 petitioner at the hearing, the court may by its order continue such
29 determination to the next regular jury term if a regular venire will be

1 called within sixty days, otherwise the court shall call a special jury
2 within said sixty days and direct that a jury panel be selected and
3 summoned pursuant to chapter 2.36 RCW, from the citizens of the county
4 in which the lands, real estate, premises, or other property sought to
5 be appropriated are situated, as many qualified persons as may be
6 necessary in order to form a jury of twelve persons, unless the
7 petitioner and respondents both consent to a less number of jurors
8 (such number to be not less than three), and such consent is entered by
9 the clerk in the minutes of such hearing. In any (~~third-class~~)
10 county (~~or lesser classification~~) with a population of less than
11 seventy thousand, the costs of such special jury for the trial of such
12 condemnation cases only shall be borne by the state.

13 **Sec. 6.** RCW 9.73.220 and 1989 c 271 s 203 are each amended to read
14 as follows:

15 In each superior court judicial district in (~~class AA and A~~
16 ~~counties~~) a county with a population of two hundred ten thousand or
17 more there shall be available twenty-four hours a day at least one
18 superior court or district court judge or magistrate designated to
19 receive telephonic requests for authorizations that may be issued
20 pursuant to this chapter. The presiding judge of each such superior
21 court in conjunction with the district court judges in that superior
22 court judicial district shall establish a coordinated schedule of
23 rotation for all of the superior and district court judges and
24 magistrates in the superior court judicial district for purposes of
25 ensuring the availability of at least one judge or magistrate at all
26 times. During the period that each judge or magistrate is designated,
27 he or she shall be equipped with an electronic paging device when not
28 present at his or her usual telephone. It shall be the designated
29 judge's or magistrate's responsibility to ensure that all attempts to

1 reach him or her for purposes of requesting authorization pursuant to
2 this chapter are forwarded to the electronic page number when the judge
3 or magistrate leaves the place where he or she would normally receive
4 such calls.

5 **Sec. 7.** RCW 13.04.035 and 1979 c 155 s 5 are each amended to read
6 as follows:

7 Juvenile court, probation counselor, and detention services shall
8 be administered by the superior court, except that by local court rule
9 and agreement with the legislative authority of the county they may be
10 administered by the legislative authority of the county in the manner
11 prescribed by RCW 13.20.060: PROVIDED, That in any ((~~class AA~~)) county
12 with a population of one million or more, such services shall be
13 administered in accordance with chapter 13.20 RCW. The administrative
14 body shall appoint an administrator of juvenile court, probation
15 counselor, and detention services who shall be responsible for day-to-
16 day administration of such services, and who may also serve in the
17 capacity of a probation counselor. One person may, pursuant to the
18 agreement of more than one administrative body, serve as administrator
19 of more than one juvenile court.

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

22 It shall be the duty of the prosecuting attorney to act in
23 proceedings relating to the commission of a juvenile offense as
24 provided in RCW 13.40.070 and 13.40.090 and in proceedings as provided
25 in chapter 71.34 RCW. It shall be the duty of the prosecuting attorney
26 to handle delinquency cases under chapter 13.24 RCW and it shall be the
27 duty of the attorney general to handle dependency cases under chapter
28 13.24 RCW. It shall be the duty of the attorney general in contested

1 cases brought by the department to present the evidence supporting any
2 petition alleging dependency or seeking the termination of a parent and
3 child relationship or any contested case filed under RCW 26.33.100 or
4 approving or disapproving alternative residential placement: PROVIDED,
5 That in ((~~class 1 through 9 counties~~)) each county with a population of
6 less than two hundred ten thousand, the attorney general may contract
7 with the prosecuting attorney of the county to perform said duties of
8 the attorney general.

9 **Sec. 9.** RCW 13.20.010 and 1955 c 232 s 1 are each amended to read
10 as follows:

11 The judges of the superior court of any ((~~class AA~~)) county with a
12 population of one million or more are hereby authorized, by majority
13 vote, to appoint a board of managers to administer, subject to the
14 approval and authority of such superior court, the probation and
15 detention services for dependent and delinquent children coming under
16 the jurisdiction of the juvenile court.

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

19 **Sec. 10.** RCW 13.20.060 and 1975 1st ex.s. c 124 s 1 are each
20 amended to read as follows:

21 In addition, and alternatively, to the authority granted by RCW
22 13.20.010, the judges of the superior court of any ((~~class AA~~)) county
23 with a population of one million or more operating under a county
24 charter providing for an elected county executive are hereby
25 authorized, by a majority vote, subject to approval by ordinance of the
26 legislative authority of the county to transfer to the county executive
27 the responsibility for, and administration of all or part of juvenile
28 court services, including detention, intake and probation. The

1 superior court and county executive of such county are further
2 authorized to establish a five-member juvenile court advisory board to
3 advise the county in its administration of such services, facilities
4 and programs. If the advisory board is established, two members of the
5 advisory board shall be appointed by the superior court, two members
6 shall be appointed by the county executive, and one member shall be
7 selected by the vote of the other four members. The county is
8 authorized to contract or otherwise make arrangements with other public
9 or private agencies to provide all or a part of such services,
10 facilities and programs. Subsequent to any transfer to the county of
11 responsibility and administration of such services, facilities and
12 programs pursuant to the foregoing authority, the judges of such
13 superior court, by majority vote subject to the approval by ordinance
14 of the legislative authority of the county, may retransfer the same to
15 the superior court.

16 **Sec. 11.** RCW 13.70.005 and 1989 1st ex.s. c 17 s 2 are each
17 amended to read as follows:

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

22 The administrator for the courts shall coordinate and assist in the
23 administration of the local citizen review board pilot program created
24 by this chapter.

25 **Sec. 12.** RCW 19.27.160 and 1989 c 246 s 7 are each amended to read
26 as follows:

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

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

6 **Sec. 13.** RCW 26.12.050 and 1989 c 199 s 1 are each amended to read
7 as follows:

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

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

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

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

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

1 **Sec. 14.** RCW 27.24.062 and 1971 ex.s. c 141 s 1 are each amended
2 to read as follows:

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

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

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

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

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

25 **Sec. 16.** RCW 28A.315.450 and 1980 c 35 s 1 are each amended to
26 read as follows:

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

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

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

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

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

26 **Sec. 18.** RCW 28A.315.580 and 1990 c 161 s 5 and 1990 c 33 s 319
27 are each reenacted and amended to read as follows:

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

24 **Sec. 19.** RCW 28A.315.590 and 1990 c 161 s 6 are each amended to
25 read as follows:

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

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

18 **Sec. 20.** RCW 28A.315.600 and 1990 c 33 s 320 are each amended to
19 read as follows:

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

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

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

17 **Sec. 21.** RCW 28A.315.610 and 1990 c 33 s 321 are each amended to
18 read as follows:

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

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

14 **Sec. 22.** RCW 28A.315.620 and 1990 c 33 s 322 are each amended to
15 read as follows:

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

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

17 **Sec. 23.** RCW 28A.315.630 and 1990 c 33 s 323 are each amended to
18 read as follows:

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

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

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

14 **Sec. 24.** RCW 28A.315.670 and 1990 c 59 s 99 and 1990 c 33 s 327
15 are each reenacted and amended to read as follows:

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

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

14 **Sec. 25.** RCW 28A.315.680 and 1990 c 59 s 72 and 1990 c 33 s 328
15 are each reenacted and amended to read as follows:

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

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

4 **Sec. 26.** RCW 29.13.060 and 1990 c 33 s 563 are each amended to
5 read as follows:

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

10 Except as provided in RCW 28A.315.460, the directors to be elected
11 shall be elected for terms of six years and until their successors are
12 elected and qualified and assume office in accordance with RCW
13 29.04.170.

14 **Sec. 27.** RCW 29.30.060 and 1990 c 59 s 12 are each amended to read
15 as follows:

16 Except in (~~class AA counties~~) each county with a population of
17 one million or more, on or before the fifteenth day before a primary or
18 election, the county auditor shall prepare a sample ballot which shall
19 be made readily available to members of the public. The secretary of
20 state shall adopt rules governing the preparation of sample ballots in
21 (~~class AA~~) counties with a population of one million or more. The
22 rules shall permit, among other alternatives, the preparation of more
23 than one sample ballot by a (~~class AA~~) county with a population of
24 one million or more for a primary or election, each of which lists a
25 portion of the offices and issues to be voted on in that county. The
26 position of precinct committee officer shall be shown on the sample
27 ballot for the general election, but the names of candidates for the
28 individual positions need not be shown.

1 **Sec. 28.** RCW 29.42.050 and 1987 c 295 s 14 are each amended to
2 read as follows:

3 The statutory requirements for filing as a candidate at the
4 primaries shall apply to candidates for precinct committee officer
5 except that the filing period for this office alone shall be extended
6 to and include the Friday immediately following the last day for
7 political parties to fill vacancies in the ticket as provided by RCW
8 29.18.150, and the office shall not be voted upon at the primaries, but
9 the names of all candidates must appear under the proper party and
10 office designations on the ballot for the general November election for
11 each even-numbered year and the one receiving the highest number of
12 votes shall be declared elected: PROVIDED, That to be declared
13 elected, a candidate must receive at least ten percent of the number of
14 votes cast for the candidate of the candidate's party receiving the
15 greatest number of votes in the precinct. Any person elected to the
16 office of precinct committee officer who has not filed a declaration of
17 candidacy shall pay the fee of one dollar to the county auditor for a
18 certificate of election. The term of office of precinct committee
19 officer shall be for two years, commencing upon completion of the
20 official canvass of votes by the county canvassing board of election
21 returns. Should any vacancy occur in this office by reason of death,
22 resignation, or disqualification of the incumbent, or because of
23 failure to elect, the respective county chair of the county central
24 committee shall be empowered to fill such vacancy by appointment:
25 PROVIDED, HOWEVER, That in legislative districts having a majority of
26 its precincts in a ((~~class AA~~)) county with a population of one million
27 or more, such appointment shall be made only upon the recommendation of
28 the legislative district chair: PROVIDED, That the person so appointed
29 shall have the same qualifications as candidates when filing for
30 election to such office for such precinct: PROVIDED FURTHER, That when

1 a vacancy in the office of precinct committee officer exists because of
2 failure to elect at a state general election, such vacancy shall not be
3 filled until after the organization meeting of the county central
4 committee and the new county chair selected as provided by RCW
5 29.42.030.

6 **Sec. 29.** RCW 29.42.070 and 1987 c 295 s 15 are each amended to
7 read as follows:

8 Within forty-five days after the state-wide general election in
9 even-numbered years, or within thirty days following July 30, 1967, for
10 the biennium ending with the 1968 general elections, the county chair
11 of each major political party shall call separate meetings of all
12 elected precinct committee officers in each legislative district a
13 majority of the precincts of which are within a (~~class-AA~~) county
14 with a population of one million or more for the purpose of electing a
15 legislative district chair in such district. The district chair shall
16 hold office until the next legislative district reorganizational
17 meeting two years later, or until a successor is elected.

18 The legislative district chair can only be removed by the majority
19 vote of the elected precinct committee officers in the chair's
20 district.

21 **Sec. 30.** RCW 29.82.060 and 1965 c 9 s 29.82.060 are each amended
22 to read as follows:

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

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

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

15 **Sec. 31.** RCW 35.21.010 and 1965 c 138 s 1 are each amended to read
16 as follows:

17 Municipal corporations now or hereafter organized are bodies
18 politic and corporate under the name of the city of _____, or the
19 town of _____, as the case may be, and as such may sue and be
20 sued, contract or be contracted with, acquire, hold, possess and
21 dispose of property, subject to the restrictions contained in other
22 chapters of this title, having a common seal, and change or alter the
23 same at pleasure, and exercise such other powers, and have such other
24 privileges as are conferred by this title: PROVIDED, That not more
25 than two square miles in area shall be included within the corporate
26 limits of a (~~(municipal corporation of the fourth class)~~) town having
27 a population of fifteen hundred or less, or located in (~~(class AA~~
28 ~~counties)~~) a county with a population of one million or more, and not
29 more than three square miles in area shall be included within the

1 corporate limits of a (~~municipal corporation of the fourth class~~)
2 town having a population of more than fifteen hundred in (~~counties~~
3 ~~other than class AA~~) a county with a population of less than one
4 million, nor shall more than twenty acres of unplatted land belonging
5 to any one person be taken within the corporate limits of (~~municipal~~
6 ~~corporations of the fourth class~~) a town without the consent of the
7 owner of such unplatted land: PROVIDED FURTHER, That the original
8 incorporation of (~~municipal corporations of the fourth class~~) a town
9 shall be limited to an area of not more than one square mile and a
10 population as prescribed in RCW 35.01.040.

11 **Sec. 32.** RCW 35.21.422 and 1967 ex.s. c 52 s 1 are each amended to
12 read as follows:

13 Any city, located within a (~~class A~~) county with a population of
14 two hundred ten thousand or more west of the Cascades, owning and
15 operating a public utility and having facilities for the distribution
16 of electricity located outside its city limits, may provide for the
17 support of cities, towns, counties and taxing districts in which such
18 facilities are located, and enter into contracts with such county
19 therefor. Such contribution shall be based upon the amount of retail
20 sales of electricity, other than to governmental agencies, made by such
21 city in the areas of such cities, towns, counties or taxing districts
22 in which such facilities are located, and shall be divided among them
23 on the same basis as taxes on real and personal property therein are
24 divided.

25 **Sec. 33.** RCW 35.58.040 and 1971 ex.s. c 303 s 3 are each amended
26 to read as follows:

27 At the time of its formation no metropolitan municipal corporation
28 shall include only a part of any city, and every city shall be either

1 wholly included or wholly excluded from the boundaries of such
2 corporation. If subsequent to the formation of a metropolitan
3 municipal corporation a part only of any city shall be included within
4 the boundaries of a metropolitan municipal corporation such part shall
5 be deemed to be "unincorporated" for the purpose of selecting a member
6 of the metropolitan council pursuant to RCW 35.58.120(3) and such city
7 shall neither select nor participate in the selection of a member on
8 the metropolitan council pursuant to RCW 35.58.120.

9 Any metropolitan municipal corporation now existing or hereafter
10 created, within a (~~class A county contiguous to a class AA county or~~
11 ~~class AA~~) county with a population of from two hundred ten thousand to
12 less than one million bordering a county with a population of one
13 million or more, or within a county with a population of one million or
14 more, shall, upon May 21, 1971, as to metropolitan corporations
15 existing on such date or upon the date of formation as to metropolitan
16 corporations formed after May 21, 1971, have the same boundaries as
17 those of the respective central county of such metropolitan
18 corporation: PROVIDED, That the boundaries of such metropolitan
19 corporation may be enlarged after such date by annexation as provided
20 in chapter 35.58 RCW as now or hereafter amended. Any contiguous
21 metropolitan municipal corporations may be consolidated into a single
22 metropolitan municipal corporation upon such terms, for the purpose of
23 performing such metropolitan function or functions, and to be effective
24 at such time as may be approved by resolutions of the respective
25 metropolitan councils. In the event of such consolidation the
26 component city with the largest population shall be the central city of
27 such consolidated metropolitan municipal corporation and the component
28 county with the largest population shall be the central county of such
29 consolidated metropolitan municipal corporation.

1 **Sec. 34.** RCW 35.58.273 and 1990 c 42 s 316 are each amended to
2 read as follows:

3 (1) Through June 30, 1992, any municipality (~~((within a class AA~~
4 ~~county, or within a class A county contiguous to a class AA county, or~~
5 ~~within a second class county contiguous to a class A county that is~~
6 ~~contiguous to a class AA county))), as defined in this subsection, is
7 authorized to levy and collect a special excise tax not exceeding .7824
8 percent and beginning July 1, 1992, .725 percent on the fair market
9 value of every motor vehicle owned by a resident of such municipality
10 for the privilege of using such motor vehicle provided that in no event
11 shall the tax be less than one dollar and, subject to RCW 82.44.150
12 ~~((+5) and (6))~~ (3) and (4), the amount of such tax shall be credited
13 against the amount of the excise tax levied by the state under RCW
14 82.44.020. As used in this subsection, the term "municipality" means
15 a municipality that is located within one of the following counties:
16 (a) A county with a population of one million or more; (b) a county
17 with a population of from two hundred ten thousand to less than one
18 million bordering a county with a population of one million or more; or
19 (c) a county with a population of from one hundred twenty-five thousand
20 to less than two hundred ten thousand, that both borders a county with
21 a population as described under (b) of this subsection and has an
22 interstate highway connecting it with a county described under (b) of
23 this subsection.~~

24 (2) Through June 30, 1992, any other municipality is authorized to
25 levy and collect a special excise tax not exceeding .815 percent, and
26 beginning July 1, 1992, .725 percent on the fair market value of every
27 motor vehicle owned by a resident of such municipality for the
28 privilege of using such motor vehicle provided that in no event shall
29 the tax be less than one dollar and, subject to RCW 82.44.150 (3) and
30 (4), the amount of such tax shall be credited against the amount of the

1 excise tax levied by the state under RCW 82.44.020. Before utilization
2 of any excise tax moneys collected under authorization of this section
3 for acquisition of right of way or construction of a mass transit
4 facility on a separate right of way the municipality shall adopt rules
5 affording the public an opportunity for "corridor public hearings" and
6 "design public hearings" as herein defined, which rule shall provide in
7 detail the procedures necessary for public participation in the
8 following instances: (a) Prior to adoption of location and design
9 plans having a substantial social, economic or environmental effect
10 upon the locality upon which they are to be constructed or (b) on such
11 mass rapid transit systems operating on a separate right of way
12 whenever a substantial change is proposed relating to location or
13 design in the adopted plan. In adopting rules the municipality shall
14 adhere to the provisions of the Administrative Procedure Act.

15 (3) A "corridor public hearing" is a public hearing that: (a) Is
16 held before the municipality is committed to a specific mass transit
17 route proposal, and before a route location is established; (b) is held
18 to afford an opportunity for participation by those interested in the
19 determination of the need for, and the location of, the mass rapid
20 transit system; (c) provides a public forum that affords a full
21 opportunity for presenting views on the mass rapid transit system route
22 location, and the social, economic and environmental effects on that
23 location and alternate locations: PROVIDED, That such hearing shall
24 not be deemed to be necessary before adoption of an overall mass rapid
25 transit system plan by a vote of the electorate of the municipality.

26 (4) A "design public hearing" is a public hearing that: (a) Is
27 held after the location is established but before the design is
28 adopted; and (b) is held to afford an opportunity for participation by
29 those interested in the determination of major design features of the
30 mass rapid transit system; and (c) provides a public forum to afford a

1 full opportunity for presenting views on the mass rapid transit system
2 design, and the social, economic, environmental effects of that design
3 and alternate designs.

4 **Sec. 35.** RCW 35.81.010 and 1975 c 3 s 1 are each amended to read
5 as follows:

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

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

11 (2) "Blighted area" shall mean an area which, by reason of the
12 substantial physical dilapidation, deterioration, defective
13 construction, material, and arrangement and/or age or obsolescence of
14 buildings or improvements, whether residential or nonresidential,
15 inadequate provision for ventilation, light, proper sanitary
16 facilities, or open spaces as determined by competent appraisers on the
17 basis of an examination of the building standards of the municipality;
18 inappropriate or mixed uses of land or buildings; high density of
19 population and overcrowding; defective or inadequate street layout;
20 faulty lot layout in relation to size, adequacy, accessibility or
21 usefulness; excessive land coverage; insanitary or unsafe conditions;
22 deterioration of site; diversity of ownership; tax or special
23 assessment delinquency exceeding the fair value of the land; defective
24 or unusual conditions of title; improper subdivision or obsolete
25 platting; or the existence of conditions which endanger life or
26 property by fire or other causes, or any combination of such factors,
27 is conducive to ill health, transmission of disease, infant mortality,
28 juvenile delinquency and crime; substantially impairs or arrests the
29 sound growth of the city or its environs, retards the provision of

1 housing accommodations or constitutes an economic or social liability,
2 and/or is detrimental, or constitutes a menace, to the public health,
3 safety, welfare, and morals in its present condition and use.

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

6 (4) "Clerk" shall mean the clerk or other official of the
7 municipality who is the custodian of the official records of such
8 municipality.

9 (5) "Federal government" shall include the United States of America
10 or any agency or instrumentality, corporate or otherwise, of the United
11 States of America.

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

14 (7) "Mayor" shall mean the chief executive of a city((~~7~~)) or town,
15 or ((~~class AA county or the board of commissioners~~)) the elected
16 executive, if any, of any county operating under a charter, or the
17 county legislative authority of any other county.

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

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

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

1 (11) "Public body" shall mean the state or any municipality,
2 township, board, commission, district, or any other subdivision or
3 public body of the state.

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

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

13 (14) "Redevelopment" may include (a) acquisition of a blighted area
14 or portion thereof; (b) demolition and removal of buildings and
15 improvements; (c) installation, construction or reconstruction of
16 streets, utilities, parks, playgrounds, and other improvements
17 necessary for carrying out in the area the urban renewal provisions of
18 this chapter in accordance with the urban renewal plan, and (d) making
19 the land available for development or redevelopment by private
20 enterprise or public agencies (including sale, initial leasing, or
21 retention by the municipality itself) at its fair value for uses in
22 accordance with the urban renewal plan.

23 (15) "Rehabilitation" may include the restoration and renewal of a
24 blighted area or portion thereof, in accordance with an urban renewal
25 plan, by (a) carrying out plans for a program of voluntary or
26 compulsory repair and rehabilitation of buildings or other
27 improvements; (b) acquisition of real property and demolition or
28 removal of buildings and improvements thereon where necessary to
29 eliminate unhealthful, insanitary or unsafe conditions, lessen density,
30 reduce traffic hazards, eliminate obsolete or other uses detrimental to

1 the public welfare, or otherwise to remove or prevent the spread of
2 blight or deterioration, or to provide land for needed public
3 facilities; (c) installation, construction or reconstruction of
4 streets, utilities, parks, playgrounds, and other improvements
5 necessary for carrying out in the area the urban renewal provisions of
6 this chapter; and (d) the disposition of any property acquired in such
7 urban renewal area (including sale, initial leasing, or retention by
8 the municipality itself) at its fair value for uses in accordance with
9 such urban renewal plan.

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

13 (17) "Urban renewal plan" means a plan, as it exists from time to
14 time, for an urban renewal project, which plan (a) shall conform to the
15 comprehensive plan or parts thereof for the municipality as a whole;
16 and (b) shall be sufficiently complete to indicate such land
17 acquisition, demolition, and removal of structures, redevelopment,
18 improvements, and rehabilitation as may be proposed to be carried out
19 in the urban renewal area, zoning and planning changes, if any, land
20 uses, maximum densities, building requirements, and the plan's
21 relationship to definite local objectives respecting appropriate land
22 uses, improved traffic, public transportation, public utilities,
23 recreational and community facilities, and other public improvements.

24 (18) "Urban renewal project" may include undertakings or activities
25 of a municipality in an urban renewal area for the elimination and for
26 the prevention of the development or spread of blight, and may involve
27 redevelopment in an urban renewal area, or rehabilitation in an urban
28 renewal area, or any combination or part thereof in accordance with an
29 urban renewal plan.

1 **Sec. 36.** RCW 35.82.285 and 1973 1st ex.s. c 198 s 2 are each
2 amended to read as follows:

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

11 Action under this section shall be taken by the authority only
12 after a public hearing as provided by chapter 42.30 RCW. In exercising
13 this power the authority shall not be empowered to acquire property by
14 eminent domain, and the facilities established shall comply with all
15 zoning, building, fire, and health regulations and procedures
16 applicable in the locality.

17 **Sec. 37.** RCW 36.13.020 and 1977 ex.s. c 110 s 6 are each amended
18 to read as follows:

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

27 **Sec. 38.** RCW 36.13.100 and 1963 c 4 s 36.13.100 are each amended
28 to read as follows:

1 Whenever any provision of law refers to the population of a county
2 for purposes of distributing funds ((are allocated to counties on the
3 basis of population)) or for any other purpose, the population of the
4 respective counties shall be determined by the most recent census,
5 population estimate ((or survey by the federal bureau of census or any
6 state board or commission authorized to make such a census, estimate or
7 survey. If a maximum percent of error is shown on any such survey or
8 estimate, the population of the county shall be computed by deducting
9 from the estimate fifty percent of the maximum possible error)) by the
10 office of financial management, or special county census as certified
11 by the office of financial management.

12 **Sec. 39.** RCW 36.16.030 and 1963 c 4 s 36.16.030 are each amended
13 to read as follows:

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

1 **Sec. 40.** RCW 36.16.030 and 1990 c 252 s 8 are each amended to read
2 as follows:

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

21 **Sec. 41.** RCW 36.16.032 and 1973 1st ex.s. c 88 s 1 are each
22 amended to read as follows:

23 The office of county auditor may be combined with the office of
24 county clerk in (~~(counties of the eighth class))~~) each county with a
25 population of less than five thousand by unanimous resolution of the
26 (~~(board of))~~) county (~~(commissioners))~~) legislative authority passed
27 thirty days or more prior to the first day of filing for the primary
28 election for county offices. The salary of such office of county clerk

1 combined with the office of county auditor (~~shall be nine thousand~~
2 ~~four hundred dollars.~~

3 ~~Beginning January 1, 1974, the salary of such office)), and the~~
4 salary of the office of county auditor that is not combined with the
5 office of county clerk, shall be not less than ten thousand three
6 hundred dollars. The county legislative authority of such county is
7 authorized to increase or decrease the salary of such office:
8 PROVIDED, That the legislative authority of the county shall not reduce
9 the salary of any official below the amount which such official was
10 receiving on January 1, 1973.

11 **Sec. 42.** RCW 36.16.050 and 1971 c 71 s 1 are each amended to read
12 as follows:

13 Every county official before he or she enters upon the duties of
14 his or her office shall furnish a bond conditioned that he or she will
15 faithfully perform the duties of his or her office and account for and
16 pay over all money which may come into his or her hands by virtue of
17 his or her office, and that he or she, or his or her executors or
18 administrators, will deliver to his or her successor safe and undefaced
19 all books, records, papers, seals, equipment, and furniture belonging
20 to his or her office. Bonds of elective county officers shall be as
21 follows:

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

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

27 (3) Clerk: Amount to be fixed in a penal sum not less than double
28 the amount of money liable to come into his or her hands and sureties
29 to be approved by the judge or a majority of the judges presiding over

1 the court of which he or she is clerk: PROVIDED, That the maximum bond
2 fixed for the clerk shall not exceed in amount that required for the
3 treasurer in a county of that class;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 In the approval of official bonds, the ((chairman)) chair may act
5 for the ((board of)) county ((commissioners)) legislative authority if
6 it is not in session.

7 **Sec. 43.** RCW 36.17.020 and 1973 1st ex.s. c 88 s 2 are each
8 amended to read as follows:

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

15 ~~Class A counties: Auditor, sixteen thousand dollars; clerk,~~
16 ~~sixteen thousand dollars; treasurer, sixteen thousand dollars; sheriff,~~
17 ~~seventeen thousand seven hundred dollars; assessor, sixteen thousand~~
18 ~~dollars; prosecuting attorney, twenty two thousand five hundred~~
19 ~~dollars; members of board of county commissioners, seventeen thousand~~
20 ~~seven hundred dollars; coroner, fifteen thousand dollars;~~

21 ~~Counties of the first class: Auditor, fourteen thousand five~~
22 ~~hundred dollars; clerk, fourteen thousand five hundred dollars;~~
23 ~~treasurer, fourteen thousand five hundred dollars; sheriff, sixteen~~
24 ~~thousand dollars; assessor, fourteen thousand five hundred dollars;~~
25 ~~prosecuting attorney, twenty two thousand five hundred dollars;~~
26 ~~members of board of county commissioners, sixteen thousand dollars;~~
27 ~~coroner, eight thousand dollars;~~

28 ~~Counties of the second class: Auditor, thirteen thousand five~~
29 ~~hundred dollars; clerk, thirteen thousand five hundred dollars;~~

1 treasurer, thirteen thousand five hundred dollars; sheriff, thirteen
2 thousand five hundred fifty dollars; assessor, thirteen thousand five
3 hundred dollars; prosecuting attorney, twenty one thousand five hundred
4 dollars; members of board of county commissioners, thirteen thousand
5 five hundred dollars; coroner, five thousand dollars;

6 Counties of the third class: Auditor, twelve thousand five hundred
7 dollars; clerk, twelve thousand five hundred dollars; treasurer, twelve
8 thousand five hundred dollars; assessor, twelve thousand five hundred
9 dollars; sheriff, twelve thousand five hundred dollars; prosecuting
10 attorney, twenty one thousand five hundred dollars; members of the
11 board of county commissioners, twelve thousand five hundred dollars;
12 coroner, three thousand six hundred dollars;

13 Counties of the fourth class: Auditor, eleven thousand dollars;
14 clerk, eleven thousand dollars; treasurer, eleven thousand dollars;
15 assessor, eleven thousand dollars; sheriff, eleven thousand dollars;
16 prosecuting attorney, in such a county in which there is no state
17 university, thirteen thousand dollars; prosecuting attorney, in such a
18 county in which there is a state university or college, fifteen
19 thousand dollars; members of the board of county commissioners, ten
20 thousand dollars;

21 Counties of the fifth class: Auditor, nine thousand one hundred
22 fifty dollars; clerk, nine thousand one hundred fifty dollars;
23 treasurer, nine thousand one hundred fifty dollars; sheriff, ten
24 thousand two hundred dollars; assessor, nine thousand one hundred fifty
25 dollars; prosecuting attorney, twelve thousand dollars; members of the
26 board of county commissioners, eight thousand five hundred dollars;

27 Counties of the sixth class: Auditor, nine thousand one hundred
28 fifty dollars; clerk, nine thousand one hundred fifty dollars;
29 treasurer, nine thousand one hundred fifty dollars; assessor, nine
30 thousand one hundred fifty dollars; sheriff, ten thousand two hundred

1 dollars; prosecuting attorney, nine thousand dollars; members of the
2 board of county commissioners, six thousand four hundred dollars;

3 Counties of the seventh class: Auditor, eight thousand three
4 hundred dollars; clerk, eight thousand three hundred dollars;
5 treasurer, eight thousand three hundred dollars; assessor, eight
6 thousand three hundred dollars; sheriff, nine thousand five hundred
7 dollars; prosecuting attorney, nine thousand dollars; members of the
8 board of county commissioners, five thousand nine hundred fifty
9 dollars;

10 Counties of the eighth class: Auditor, eight thousand three
11 hundred dollars; clerk, eight thousand three hundred dollars;
12 treasurer, eight thousand three hundred dollars; assessor, eight
13 thousand three hundred dollars; sheriff, nine thousand five hundred
14 dollars; prosecuting attorney, nine thousand dollars; members of board
15 of county commissioners, five thousand nine hundred fifty dollars;

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

21 (2)) The salaries of the following county officers ((in counties
22 with a population over five hundred thousand)) shall be per annum
23 respectively as follows:

24 (1) In each county with a population of one million or more:
25 Auditor, clerk, treasurer, sheriff, members of ((board of)) the county
26 ((commissioners, coroners)) legislative authority, and coroner,
27 eighteen thousand dollars; assessor, nineteen thousand dollars; and
28 prosecuting attorney, ((twenty-seven thousand five hundred dollars.

29 Beginning January 1, 1974:

1 ~~The salaries of the following county officers of class AA and A~~
2 ~~counties and counties of the first, second, third, fourth, fifth,~~
3 ~~sixth, seventh, eighth and ninth classes, as determined by the last~~
4 ~~preceding federal census, or as may be determined under the provisions~~
5 ~~of RCW 36.13.020 to 36.13.075, inclusive, shall be per annum~~
6 ~~respectively as follows:~~

7 ~~Class AA counties: Prosecuting attorney,))~~ thirty thousand three
8 hundred dollars;

9 ~~((Class A counties))~~ (2) In each county with a population of from
10 two hundred ten thousand to less than one million: Auditor, seventeen
11 thousand six hundred dollars; clerk, seventeen thousand six hundred
12 dollars; treasurer, seventeen thousand six hundred dollars; sheriff,
13 nineteen thousand five hundred dollars; assessor, seventeen thousand
14 six hundred dollars; prosecuting attorney, twenty-four thousand eight
15 hundred dollars; members of ~~((board of))~~ the county ~~((commissioners))~~
16 legislative authority, nineteen thousand five hundred dollars; and
17 coroner, sixteen thousand five hundred dollars;

18 ~~((Counties of the first class))~~ (3) In each county with a
19 population of from one hundred twenty-five thousand to less than two
20 hundred ten thousand: Auditor, sixteen thousand dollars; clerk, sixteen
21 thousand dollars; treasurer, sixteen thousand dollars; sheriff,
22 seventeen thousand six hundred dollars; assessor, sixteen thousand
23 dollars; prosecuting attorney, twenty-four thousand eight hundred
24 dollars; members of ~~((board of))~~ the county ~~((commissioners))~~
25 legislative authority, seventeen thousand six hundred dollars; and
26 coroner, eight thousand eight hundred dollars;

27 ~~((Counties of the second class))~~ (4) In each county with a
28 population of from seventy thousand to less than one hundred twenty-
29 five thousand: Auditor, fourteen thousand nine hundred dollars; clerk,
30 fourteen thousand nine hundred dollars; treasurer, fourteen thousand

1 nine hundred dollars; assessor, fourteen thousand nine hundred dollars;
2 sheriff, fourteen thousand nine hundred dollars; prosecuting attorney,
3 twenty-three thousand seven hundred dollars; members of the ((board
4 of)) county ((commissioners)) legislative authority, fourteen thousand
5 nine hundred dollars; and coroner, five thousand five hundred dollars;

6 ((Counties of the third class)) (5) In each county with a
7 population of from forty thousand to less than seventy thousand:

8 Auditor, thirteen thousand eight hundred dollars; clerk, thirteen
9 thousand eight hundred dollars; treasurer, thirteen thousand eight
10 hundred dollars; assessor, thirteen thousand eight hundred dollars;
11 sheriff, thirteen thousand eight hundred dollars; prosecuting attorney,
12 twenty-three thousand seven hundred dollars; members of the ((board
13 of)) county ((commissioners)) legislative authority, thirteen thousand
14 eight hundred dollars; and coroner, four thousand dollars;

15 ((Counties of the fourth class)) (6) In each county with a
16 population of from eighteen thousand to less than forty thousand:

17 Auditor, twelve thousand one hundred dollars; clerk, twelve thousand
18 one hundred dollars; treasurer, twelve thousand one hundred dollars;
19 sheriff, twelve thousand one hundred dollars; assessor, twelve thousand
20 one hundred dollars; prosecuting attorney in such a county in which
21 there is no state university or college, fourteen thousand three
22 hundred dollars; in such a county in which there is a state university
23 or college, sixteen thousand five hundred dollars; and members of the
24 ((board of)) county ((commissioners)) legislative authority, eleven
25 thousand dollars;

26 ((Counties of the fifth class)) (7) In each county with a
27 population of from twelve thousand to less than eighteen thousand:

28 Auditor, ten thousand one hundred dollars; clerk, ten thousand one
29 hundred dollars; treasurer, ten thousand one hundred dollars; assessor,
30 ten thousand one hundred dollars; sheriff, eleven thousand two hundred

1 dollars; prosecuting attorney, thirteen thousand two hundred dollars;
2 and members of the ~~((board of))~~ county ~~((commissioners))~~ legislative
3 authority, nine thousand four hundred dollars;

4 ~~((Counties of the sixth class))~~ (8) In each county with a
5 population of from eight thousand to less than twelve thousand:
6 Auditor, ten thousand one hundred dollars; clerk, ten thousand one
7 hundred dollars; treasurer, ten thousand one hundred dollars; assessor,
8 ten thousand one hundred dollars; sheriff, eleven thousand two hundred
9 dollars; prosecuting attorney, nine thousand nine hundred dollars; and
10 members of the ~~((board of))~~ county ~~((commissioners))~~ legislative
11 authority, seven thousand dollars;

12 ~~((Counties of the seventh class))~~ (9) In each county with a
13 population of from five thousand to less than twelve thousand:
14 Auditor, nine thousand one hundred dollars; clerk, nine thousand one
15 hundred dollars; treasurer, nine thousand one hundred dollars;
16 assessor, nine thousand one hundred dollars; sheriff, ten thousand five
17 hundred dollars; prosecuting attorney, nine thousand nine hundred
18 dollars; and members of ~~((board of))~~ the county ~~((commissioners))~~
19 legislative authority, six thousand five hundred dollars;

20 ~~((Counties of the eighth class))~~ (10) In each other county:
21 Auditor, nine thousand one hundred dollars; clerk, nine thousand one
22 hundred dollars; treasurer, nine thousand one hundred dollars; sheriff,
23 ten thousand five hundred dollars; assessor, nine thousand one hundred
24 dollars; prosecuting attorney, nine thousand nine hundred dollars; and
25 members of the ~~((board of))~~ county ~~((commissioners))~~ legislative
26 authority, six thousand five hundred dollars(;

27 ~~Counties of the ninth class: Auditor clerk, eight thousand two~~
28 ~~hundred dollars; treasurer assessor, eight thousand two hundred~~
29 ~~dollars; sheriff, nine thousand four hundred dollars; prosecuting~~

1 ~~attorney, nine thousand nine hundred dollars; members of the board of~~
2 ~~county commissioners, six thousand one hundred dollars)).~~

3 The county legislative authority of ~~((such))~~ each county is
4 authorized to increase or decrease the salary of such office:
5 PROVIDED, That the legislative authority of the county shall not reduce
6 the salary of any official below the amount which such official was
7 receiving on January 1, 1973.

8 One-half of the salary of each prosecuting attorney shall be paid
9 by the state.

10 **Sec. 44.** RCW 36.24.175 and 1969 ex.s. c 259 s 3 are each amended
11 to read as follows:

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

17 **Sec. 45.** RCW 36.27.060 and 1989 c 39 s 1 are each amended to read
18 as follows:

19 (1) The prosecuting ~~((attorneys and their deputies of class four~~
20 ~~counties and counties with population larger than class four counties))~~
21 attorney, and deputy prosecuting attorneys, of each county with a
22 population of eighteen thousand or more shall serve full time and
23 except as otherwise provided for in this section shall not engage in
24 the private practice of law.

25 (2) Deputy prosecuting attorneys in ~~((counties of the second class,~~
26 ~~third class, and fourth class))~~ a county with a population of from
27 eighteen thousand to less than one hundred twenty-five thousand may
28 serve part time and engage in the private practice of law if the

1 ((~~board of~~)) county ((~~commissioners~~)) legislative authority so
2 provides.

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

6 (a) Performing legal services for himself or herself or his or her
7 immediate family; or

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

9 (4) The legal services identified in subsection (3) of this section
10 may not be performed if they would interfere with the duties of a
11 prosecuting attorney, or deputy prosecuting attorney and no services
12 that are performed shall be deemed within the scope of employment of a
13 prosecutor or deputy prosecutor.

14 **Sec. 46.** RCW 36.32.240 and 1985 c 169 s 8 are each amended to read
15 as follows:

16 In any county the ((~~board of~~)) county ((~~commissioners~~)) legislative
17 authority may by resolution establish a county purchasing department
18 and thereafter such department shall contract on a competitive basis
19 for all public works and purchase or lease on a competitive basis all
20 supplies, materials, and equipment, for all departments of the county,
21 exclusive of the county hospital, pursuant to the provisions hereof and
22 under such rules as the board shall by resolution adopt, except for
23 such contracts and purchases as shall be made pursuant to RCW
24 36.77.065, 36.77.070 and 36.82.130, and except for such contracts and
25 purchases for the printing of election ballots, voting machine labels
26 and all other election material containing the names of candidates and
27 ballot titles, and performance-based contracts as defined in RCW
28 39.35A.020(3), that are negotiated under chapter 39.35A RCW: PROVIDED,
29 That in ((~~all class AA or class A counties or in any county of the~~

1 ~~first class~~) each county with a population of one hundred twenty-five
2 thousand or more it shall be mandatory that a purchasing department be
3 established.

4 **Sec. 47.** RCW 36.33.060 and 1973 1st ex.s. c 38 s 1 are each
5 amended to read as follows:

6 ~~((There is created in class AA and class A counties and counties of~~
7 ~~the first class a fund to be known as the salary fund, which shall))~~
8 The county legislative authority of each county with a population of
9 one hundred twenty-five thousand or more shall establish a salary fund
10 to be used for paying the salaries and wages of all officials and
11 employees. ~~((In counties smaller than counties of the first class))~~
12 The county legislative authority of any other county may ~~((by~~
13 ~~resolution))~~ establish such a salary fund. Said salary fund shall be
14 reimbursed from any county funds or other funds under the jurisdiction
15 or control of the county treasurer or county auditor budgeted for
16 salaries and wages. The deposits shall be made in the exact amount of
17 the payroll or vouchers paid from the salary fund.

18 **Sec. 48.** RCW 36.33.065 and 1973 1st ex.s. c 38 s 2 are each
19 amended to read as follows:

20 The county legislative authority of any ~~((class))~~ county may
21 establish by resolution a fund to be known as the claims fund, which
22 shall be used for paying claims against the county. Such claims fund
23 shall be reimbursed from any county funds or other funds under the
24 jurisdiction or control of the county treasurer or county auditor
25 budgeted for such expenditures. The deposits shall be made in the
26 exact amount of the vouchers paid from the claims fund.

1 **Sec. 49.** RCW 36.56.010 and 1977 ex.s. c 277 s 1 are each amended
2 to read as follows:

3 Any ((~~class AA or class A~~)) county with a population of two hundred
4 ten thousand or more in which a metropolitan municipal corporation has
5 been established pursuant to chapter 35.58 RCW with boundaries
6 coterminous with the boundaries of the county may by ordinance or
7 resolution, as the case may be, of the county legislative authority
8 assume the rights, powers, functions, and obligations of such
9 metropolitan municipal corporation in accordance with the provisions of
10 this 1977 amendatory act. The definitions contained in RCW 35.58.020
11 shall be applicable to this chapter.

12 **Sec. 50.** RCW 36.57A.020 and 1975 1st ex.s. c 270 s 12 are each
13 amended to read as follows:

14 The county legislative authority of every ((~~class A, class 1, class~~
15 ~~2, or class 3~~)) county with a population of forty thousand or more
16 shall, and the legislative authority of every other county may, within
17 ninety days of July 1, 1975, and as often thereafter as it deems
18 necessary, and upon thirty days prior written notice addressed to the
19 legislative body of each city within the county and with thirty days
20 public notice, convene a public transportation improvement conference
21 to be attended by an elected representative selected by the legislative
22 body of each city, within such county, and by the county
23 ((~~commissioners~~)) legislative authority. Such conference shall be for
24 the purpose of evaluating the need for and the desirability of the
25 creation of a public transportation benefit area within certain
26 incorporated and unincorporated portions of the county to provide
27 public transportation services within such area. In those counties
28 where county officials believe the need for public transportation
29 service extends across county boundaries so as to provide public

1 transportation service in a metropolitan area, the county legislative
2 bodies of two or more neighboring counties may elect to convene a
3 multi- county conference. In addition, county-wide conferences may be
4 convened by resolution of the legislative bodies of two or more cities
5 within the county, not to exceed one in any twelve month period, or a
6 petition signed by at least ten percent of the registered voters in the
7 last general election of the city, county or city/county areas of a
8 proposed benefit area. The ~~((chairman))~~ chair of the conference shall
9 be elected from the members at large.

10 **Sec. 51.** RCW 36.58.030 and 1989 c 431 s 27 are each amended to
11 read as follows:

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

25 **Sec. 52.** RCW 36.58.100 and 1982 c 175 s 1 are each amended to read
26 as follows:

27 The legislative authority of any county ~~((other than a class AA~~
28 ~~county))~~ with a population of less than one million is authorized to

1 establish one or more solid waste disposal districts within the county
2 for the purpose of providing and funding solid waste disposal services.
3 No solid waste disposal district may include any area within the
4 corporate limits of a city or town unless the city or town governing
5 body adopts a resolution approving inclusion of the area within its
6 limits. The county legislative authority may modify the boundaries of
7 the solid waste disposal district by the same procedure used to
8 establish the district. A solid waste disposal district may be
9 dissolved by the county legislative authority after holding a hearing
10 as provided in RCW 36.58.110.

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

14 A solid waste disposal district is a quasi-municipal corporation,
15 an independent taxing "authority" within the meaning of Article VII,
16 section 1 of the state Constitution, and a "taxing district" within the
17 meaning of Article VII, section 2 of the state Constitution.

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

23 The county legislative authority shall be the governing body of a
24 solid waste disposal district. The electors of a solid waste disposal
25 district shall be all registered voters residing within the district.

26 **Sec. 53.** RCW 36.64.070 and 1965 c 24 s 1 are each amended to read
27 as follows:

28 Any (~~class AA or class A~~) county with a population of two hundred
29 ten thousand or more may contract with any city or cities within such

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

14 **Sec. 54.** RCW 36.69.010 and 1990 c 32 s 1 are each amended to read
15 as follows:

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

22 The term "recreational facilities" means parks, playgrounds,
23 gymnasiums, swimming pools, field houses, bathing beaches, stadiums,
24 golf courses, automobile race tracks and drag strips, coliseums for the
25 display of spectator sports, public campgrounds, boat ramps and
26 launching sites, public hunting and fishing areas, arboretums, bicycle
27 and bridle paths, senior citizen centers, community centers, and other
28 recreational facilities.

1 **Sec. 55.** RCW 36.78.020 and 1965 ex.s. c 120 s 2 are each amended
2 to read as follows:

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

9 **Sec. 56.** RCW 36.80.010 and 1984 c 11 s 1 are each amended to read
10 as follows:

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

19 **Sec. 57.** RCW 36.93.030 and 1969 ex.s. c 111 s 1 are each amended
20 to read as follows:

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

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

26 (a) The (~~(board of))~~) county (~~(commissioners))~~) legislative authority
27 may, by majority vote, adopt a resolution establishing a boundary
28 review board; or

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

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

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

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

23 **Sec. 58.** RCW 36.93.040 and 1967 c 189 s 4 are each amended to read
24 as follows:

25 For the purposes of this chapter, ~~((counties other than class AA~~
26 ~~and class A))~~ each county with a population of less than two hundred
27 ten thousand shall be deemed to have established a boundary review
28 board~~((s))~~ on and after the date a proposition for establishing the
29 same has been approved at an election as provided for in RCW 36.93.030,

1 or on and after the date of adoption of a resolution of the ((board
2 of)) county ((commissioners)) legislative authority establishing the
3 same as provided for in RCW 36.93.030.

4 **Sec. 59.** RCW 36.93.051 and 1989 c 84 s 17 are each amended to read
5 as follows:

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

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

10 (2) Three persons shall be appointed by the county appointing
11 authority;

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

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

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

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

1 with the length of the term being calculated from the first day of
2 February in the year the appointment was made.

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

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

19 After the initial appointments, all appointees shall serve four-
20 year terms.

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

25 **Sec. 60.** RCW 36.93.061 and 1989 c 84 s 18 are each amended to read
26 as follows:

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

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

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

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

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

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

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

23 The board shall make one initial appointment from the nominees of
24 special districts to serve a term of two years if the appointment is
25 made in an odd-numbered year, or a term of one year if the appointment
26 is made in an even-numbered year, with the length of the term being
27 calculated from the first day of March in the year in which the
28 appointment is made.

29 After the initial appointments, all appointees shall serve four-
30 year terms.

1 No appointee may be an official or employee of the county or a
2 governmental unit in the county, or a consultant or advisor on a
3 contractual or regular retained basis of the county, any governmental
4 unit in the county, or any agency or association thereof.

5 **Sec. 61.** RCW 36.93.063 and 1989 c 84 s 19 are each amended to read
6 as follows:

7 The executive of the county shall make the appointments under RCW
8 36.93.051 and 36.93.061 for the county, if one exists, or otherwise the
9 county legislative authority shall make the appointments for the
10 county.

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

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

25 The county appointing authority and the mayors of cities and towns
26 within the county shall make their initial appointments for newly
27 created boards within sixty days of the creation of the board or shall
28 make sufficient additional appointments to increase a five-member board
29 to an eleven-member board within sixty days of the date the county

1 ((~~becomes a class AA county~~)) obtains a population of one million or
2 more. The board shall make its initial appointment or appointments of
3 board members from the nominees of special districts located within the
4 county within ninety days of the creation of the board or shall make an
5 additional appointment of a board member from the nominees of special
6 districts located within the county within ninety days of the date the
7 county ((~~becomes a class AA county~~)) obtains a population of one
8 million or more.

9 The term of office for all appointees other than the appointee from
10 the special districts shall commence on the first day of February in
11 the year in which the term is to commence. The term of office for the
12 appointee from nominees of special districts shall commence on the
13 first day of March in the year in which the term is to commence.

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

17 **Sec. 62.** RCW 36.93.100 and 1989 c 84 s 3 are each amended to read
18 as follows:

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

22 (1) Three members of a five-member boundary review board or five
23 members of a boundary review board in a ((~~class AA~~)) county with a
24 population of one million or more files a request for review:
25 PROVIDED, That the members of the boundary review board shall not be
26 authorized to file a request for review of the following actions:

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

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

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

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

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

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

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

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

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

29 If a review of a proposal is requested, the board shall make a
30 finding as prescribed in RCW 36.93.150 within one hundred twenty days

1 after the filing of such a request for review. If this period of one
2 hundred twenty days shall elapse without the board making a finding as
3 prescribed in RCW 36.93.150, the proposal shall be deemed approved
4 unless the board and the person who submitted the proposal agree to an
5 extension of the one hundred twenty day period.

6 **Sec. 63.** RCW 36.95.020 and 1971 ex.s. c 155 s 2 are each amended
7 to read as follows:

8 A district's boundary may include any part or all of any ~~((class))~~
9 county and may include any part or all of any incorporated area located
10 within the county. A district's boundary may not include any territory
11 already being served by a cable TV system (CATV) unless on August 9,
12 1971, there is a translator station retransmitting television signals
13 to such territory.

14 **Sec. 64.** RCW 40.04.100 and 1979 c 151 s 49 are each amended to
15 read as follows:

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

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

21 (2) The state law librarian shall retain such copies as are
22 necessary of each for the benefit of the state law library, the supreme
23 court and its subsidiary offices; and the court of appeals and its
24 subsidiary offices; he or she shall provide one copy each for the
25 official use of the attorney general and for each assistant attorney
26 general maintaining his or her office in the attorney general's suite;
27 three copies for the office of prosecuting attorney, in ~~((class A~~
28 counties)) each county with a population of two hundred ten thousand or

1 more; two copies for such office in (~~first class counties~~) each
2 county with a population of from one hundred twenty-five thousand to
3 less than two hundred ten thousand, and one copy for each other
4 prosecuting attorney; one for each United States district court room
5 and every superior court room in this state if regularly used by a
6 judge of such courts; one copy for the use of each state department
7 maintaining a separate office at the state capitol; one copy to the
8 office of financial management, and one copy to the division of
9 inheritance tax and escheats; one copy each to the United States
10 supreme court, to the United States district attorney's offices at
11 Seattle and Spokane, to the office of the United States attorney
12 general, the library of the circuit court of appeals of the ninth
13 circuit, the Seattle public library, the Tacoma public library, the
14 Spokane public library, the University of Washington library, and the
15 Washington State University library; three copies to the Library of
16 Congress; and, for educational purposes, twelve copies to the
17 University of Washington law library, two copies to the University of
18 Puget Sound law library, and two copies to the Gonzaga University law
19 school library and to such other accredited law school libraries as are
20 hereafter established in this state; six copies to the King county law
21 library; and one copy to each county law library organized pursuant to
22 law in (~~class AA counties, class A counties and in counties of the~~
23 ~~first, second and third class~~) each county with a population of forty
24 thousand or more.

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

1 **Sec. 65.** RCW 41.14.065 and 1987 c 251 s 2 are each amended to read
2 as follows:

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

11 **Sec. 66.** RCW 41.14.070 and 1979 ex.s. c 153 s 3 are each amended
12 to read as follows:

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

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

25 The unclassified position appointments authorized by this section
26 must include selections from the following positions up to the limit of
27 the number of positions authorized: Undersheriff, inspector, chief

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

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

19 **Sec. 67.** RCW 41.14.210 and 1971 ex.s. c 214 s 3 are each amended
20 to read as follows:

21 The county legislative (~~body of each class AA and A~~) authority or
22 each county with a population of two hundred ten thousand or more may
23 provide in the county budget for each fiscal year a sum equal to one
24 percent of the preceding year's total payroll of those included under
25 the jurisdiction and scope of this chapter. The funds so provided
26 shall be used for the support of the commission. Any part of the funds
27 so provided and not expended for the support of the commission during
28 the fiscal year shall be placed in the general fund of the county, or

1 counties according to the ratio of contribution, on the first day of
2 January following the close of such fiscal year.

3 **Sec. 68.** RCW 41.28.020 and 1939 c 207 s 3 are each amended to read
4 as follows:

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

14 **Sec. 69.** RCW 43.99C.045 and 1989 c 265 s 1 are each amended to
15 read as follows:

16 Subject to legislative appropriation, all principal proceeds of the
17 bonds and bond anticipation notes authorized in this chapter shall be
18 administered by the state department of social and health services
19 exclusively for the purposes specified in this chapter and for the
20 payment of expenses incurred in connection with the sale and issuance
21 of the bonds and bond anticipation notes.

22 In carrying out the purposes of this chapter all counties of the
23 state shall be eligible to participate in the distribution of the bond
24 proceeds. The share coming to each county shall be determined by a
25 division among all counties according to the relation which the
26 population of each county, as shown by the last federal or official
27 state census, whichever is the later, bears to the total combined
28 population of all counties, as shown by such census; except that, each

1 (~~sixth, seventh, or eighth class~~) county with a population of less
2 than twelve thousand shall receive an aggregate amount of up to
3 seventy-five thousand dollars if, through a procedure established in
4 rule, the department has determined there is a demonstrated need and
5 the share determined for such county is less than seventy-five thousand
6 dollars. No single project in a (~~class AA~~) county with a population
7 of one million or more shall be eligible for more than fifteen percent
8 of such county's total distribution of bond proceeds.

9 In carrying out the purposes specified in this chapter, the
10 department may use or permit the use of the proceeds by direct
11 expenditures, grants, or loans to any public body, including but not
12 limited to grants to a public body as matching funds in any case where
13 federal, local, or other funds are made available on a matching basis
14 for purposes specified in this chapter.

15 In carrying out the purpose of this chapter, fixed assets acquired
16 under this chapter, and no longer utilized by the program having
17 custody of the assets, may be transferred to other public bodies either
18 in the same county or another county. Prior to such transfer the
19 department shall first determine if the assets can be used by another
20 program as designated by the department of social and health services
21 in RCW 43.99C.020. Such programs shall have priority in obtaining the
22 assets to ensure the purpose of this chapter is carried out.

23 **Sec. 70.** RCW 53.12.010 and 1965 c 51 s 1 are each amended to read
24 as follows:

25 The powers of the port district shall be exercised through a port
26 commission consisting of three members. In any port (~~districts~~
27 ~~located in a class AA~~) district with boundaries that are coterminous
28 with the boundaries of a county with a population of five hundred
29 thousand or more the members shall be residents of the county in which

1 the port district is located. In all other port districts, three
2 commissioner districts, numbered consecutively, having approximately
3 equal population and boundaries following ward and precinct lines,
4 shall be described in the petition for the formation of the port
5 district, and one commissioner shall be elected from each of said
6 commissioner districts.

7 In port districts having additional commissioners as authorized by
8 RCW 53.12.120 and 53.12.130, the powers of the port district shall be
9 exercised through a port commission consisting of five members
10 constituted as provided therein.

11 **Sec. 71.** RCW 53.12.020 and 1986 c 262 s 2 are each amended to read
12 as follows:

13 In a port (~~((districts located in a class AA))~~) district with
14 boundaries that are coterminous with the boundaries of a county with a
15 population of five hundred thousand or more no person shall be eligible
16 to hold the office of port commissioner unless he or she is a qualified
17 voter of the district. In all other port districts (~~((except those~~
18 ~~located in a class AA county))~~) the person must be a qualified voter of
19 the commissioner district from which he or she is elected.

20 If, pursuant to RCW 29.21.350, a void in candidacy has been
21 declared for a port district, any registered voter of the port district
22 is eligible to file a declaration of candidacy for the office of port
23 commissioner when filing for the office is reopened pursuant to RCW
24 29.21.360 or 29.21.370.

25 **Sec. 72.** RCW 53.12.035 and 1965 c 51 s 3 are each amended to read
26 as follows:

27 (~~((All candidates for district offices in port districts of class AA~~
28 ~~and class A counties shall file their declarations of candidacy with~~

1 the county auditor of the county as set forth in RCW 29.21.060, as now
2 or hereafter amended and in the same manner as candidates for county
3 offices. In port districts located in a class AA county the
4 declaration may be for any numbered port commissioner position to be
5 open in the next port district election.) In port districts ((with
6 five commissioners in existence on July 1, 1965)) that transition from
7 a three-member board to a five-member board, the respective numbered
8 port commissioner positions shall correspond to the numbers of the
9 county ((~~commissioner~~)) legislative authority districts from which the
10 three original commissioners in the port districts were elected, ((with
11 the central district being numbered one)) if the county had a three-
12 member county legislative authority, and with positions four and five
13 being assigned to the original at large commissioner positions for
14 which the first incumbents received, respectively, the greater and
15 lesser number of votes cast.

16 ((In all port districts in a class AA county, with three port
17 commissioners there shall be three positions denominated positions one,
18 two and three, and declarations of candidacy shall be for a specific
19 position. Where a proposition for an increased number of port
20 commissioners is on the ballot under RCW 53.12.120 and RCW 53.12.130,
21 the two additional positions shall be denominated positions four and
22 five, and candidates for the positions thus proposed to be created
23 shall file declarations of candidacy for a specific position.))

24 Each candidate for a port commissioner position, including the
25 initial port commissioner positions, shall file a declaration of
26 candidacy for a specific position, whether or not the position is
27 associated with a commissioner district.

28 **Sec. 73.** RCW 53.12.035 and 1990 c 59 s 108 are each amended to
29 read as follows:

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

18 (~~In all port districts in a class AA county, with three port~~
19 ~~commissioners there shall be three positions denominated positions one,~~
20 ~~two and three, and declarations of candidacy shall be for a specific~~
21 ~~position. Where a proposition for an increased number of port~~
22 ~~commissioners is on the ballot under RCW 53.12.120 and RCW 53.12.130,~~
23 ~~the two additional positions shall be denominated positions four and~~
24 ~~five, and candidates for the positions thus proposed to be created~~
25 ~~shall file declarations of candidacy for a specific position.))~~

26 Each candidate for a port commissioner position, including the
27 initial port commissioner positions, shall file a declaration of
28 candidacy for a specific position, whether or not the position is
29 associated with a commissioner district.

1 **Sec. 74.** RCW 53.31.020 and 1986 c 276 s 2 are each amended to read
2 as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

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

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

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

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

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

21 **Sec. 75.** RCW 54.16.180 and 1977 ex.s. c 31 s 1 are each amended to
22 read as follows:

23 A district may sell and convey, lease, or otherwise dispose of all
24 or any part of its works, plants, systems, utilities and properties,
25 after proceedings and approval by the voters of the district, as
26 provided for the lease or disposition of like properties and facilities
27 owned by cities and towns: PROVIDED, That the affirmative vote of
28 three-fifths of the voters voting at an election on the question of
29 approval of a proposed sale, shall be necessary to authorize such sale:

1 PROVIDED FURTHER, That a district may sell, convey, lease or otherwise
2 dispose of all or any part of the property owned by it, located outside
3 its boundaries, to another public utility district, city, town or other
4 municipal corporation without the approval of the voters; or may sell,
5 convey, lease, or otherwise dispose of to any person or public body,
6 any part, either within or without its boundaries, which has become
7 unserviceable, inadequate, obsolete, worn out or unfit to be used in
8 the operations of the system and which is no longer necessary, material
9 to, and useful in such operations, without the approval of the voters:
10 PROVIDED FURTHER, That a public utility district located within a
11 county (~~((of the first class))~~) with a population of from one hundred
12 twenty-five thousand to less than two hundred ten thousand may sell and
13 convey to a city of the first class, which owns its own water system,
14 all or any part of a water system owned by said public utility district
15 where a portion of it is located within the boundaries of such city,
16 without approval of the voters upon such terms and conditions as the
17 district shall determine: PROVIDED FURTHER, That a public utility
18 district located in a (~~((fifth class))~~) county with a population of from
19 twelve thousand to less than eighteen thousand and bordered by the
20 Columbia river may, separately or in connection with the operation of
21 a water system, or as part of a plan for acquiring or constructing and
22 operating a water system, or in connection with the creation of another
23 or subsidiary local utility district, may provide for the acquisition
24 or construction, additions or improvements to, or extensions of, and
25 operation of a sewage system within the same service area as in the
26 judgment of the district commission is necessary or advisable in order
27 to eliminate or avoid any existing or potential danger to the public
28 health by reason of the lack of sewerage facilities or by reason of the
29 inadequacy of existing facilities: AND PROVIDED FURTHER, That a public
30 utility district located within a county (~~((of the first class))~~) with a

1 population of from one hundred twenty-five thousand to less than two
2 hundred ten thousand bordering on Puget Sound may sell and convey to
3 any city of the third class or town all or any part of a water system
4 owned by said public utility district without approval of the voters
5 upon such terms and conditions as the district shall determine. Public
6 utility districts are municipal corporations for the purposes of this
7 section and the commission shall be held to be the legislative body and
8 the president and secretary shall have the same powers and perform the
9 same duties as the mayor and city clerk and the resolutions of the
10 districts shall be held to be ordinances within the meaning of the
11 statutes governing the sale, lease, or other disposal of public
12 utilities owned by cities and towns.

13 **Sec. 76.** RCW 56.04.120 and 1979 c 35 s 1 are each amended to read
14 as follows:

15 (1) On and after March 16, 1979, any sewerage improvement districts
16 created under Title 85 RCW and located in (~~third class counties~~) a
17 county with a population of from forty thousand to less than seventy
18 thousand shall become sewer districts and shall be operated,
19 maintained, and have the same powers as sewer districts created under
20 Title 56 RCW, upon being so ordered by the (~~board of~~) county
21 (~~commissioners~~) legislative authority of the county in which such
22 district is located after a hearing of which notice is given by
23 publication in a newspaper of general circulation within the district
24 and mailed to any known creditors, holders of contracts and obligees at
25 least thirty days prior to such hearing. After such hearing if the
26 (~~board of~~) county (~~commissioners~~) legislative authority finds the
27 converting of such district to be in the best interest of that
28 district, it shall order that such sewer improvement district shall
29 become a sewer district and fix the date of such conversion. All

1 debts, contracts and obligations created while attempting to organize
2 or operate a sewerage improvement district and all other financial
3 obligations and powers of the district to satisfy such obligations
4 established under Title 85 RCW are legal and valid until they are fully
5 satisfied or discharged under Title 85 RCW.

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

21 **Sec. 77.** RCW 57.90.010 and 1979 ex.s. c 30 s 11 are each amended
22 to read as follows:

23 Water, sewer, park and recreation, metropolitan park, county rural
24 library, cemetery, flood control, mosquito control, diking and
25 drainage, irrigation or reclamation, weed, health, or fire protection
26 districts, and any air pollution control authority, hereinafter
27 referred to as "special districts", which are located wholly or in part
28 within a (~~(class AA or A)~~) county with a population of two hundred ten
29 thousand or more may be disincorporated when the district has not

1 actively carried out any of the special purposes or functions for which
2 it was formed within the preceding consecutive five year period.

3 **Sec. 78.** RCW 67.28.090 and 1967 c 236 s 2 are each amended to read
4 as follows:

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

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

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

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

20 Thereupon, the (~~board of~~) county (~~commissioners~~) legislative
21 authority of the county whose request is accepted shall select two
22 members from its body as members of the commission, and the mayor of
23 the city having the largest population in such county shall appoint two
24 members from such city's legislative body to the commission.

25 The commission shall meet at such time or times as may be
26 designated either by the governor or by the (~~chairman~~) chair of the
27 board, and shall serve without compensation. They shall receive, for
28 time spent on the commission, per diem and mileage allowances in

1 conformity with the amounts allowed for legislators under the
2 provisions of RCW 44.04.120.

3 **Sec. 79.** RCW 67.28.180 and 1987 c 483 s 1 are each amended to read
4 as follows:

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

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

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

22 (b) In the event that any county has levied the tax authorized by
23 this section and has, prior to June 26, 1975, either pledged the tax
24 revenues for payment of principal and interest on city revenue or
25 general obligation bonds authorized and issued pursuant to RCW
26 67.28.150 through 67.28.160 or has authorized and issued revenue or
27 general obligation bonds pursuant to the provisions of RCW 67.28.150
28 through 67.28.160, such county shall be exempt from the provisions of
29 (~~subsection~~) (a) of this subsection, to the extent that the tax

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

17 As used in this subsection (2)(b), "capital improvement projects"
18 may include, but not be limited to a stadium restaurant facility,
19 restroom facilities, artificial turf system, seating facilities,
20 parking facilities and scoreboard and information system adjacent to or
21 within a county owned stadium, together with equipment, utilities,
22 accessories and appurtenances necessary thereto. The stadium
23 restaurant authorized by this subsection (2)(b) shall be operated by a
24 private concessionaire under a contract with the county.

25 (c) No city within a county exempt under subsection (2)(b) of this
26 section may levy the tax authorized by this section so long as said
27 county is so exempt: PROVIDED, That in the event that any city in such
28 county has levied the tax authorized by this section and has, prior to
29 June 26, 1975, authorized and issued revenue or general obligation
30 bonds pursuant to the provisions of RCW 67.28.150 through 67.28.160,

1 such city may levy the tax so long as and to the extent that the tax
2 revenues are pledged for payment of principal and interest on bonds
3 issued pursuant to the provisions of RCW 67.28.150 through 67.28.160.

4 (3) Any levy authorized by this section by a county that has levied
5 the tax authorized by this section and has, prior to June 26, 1975,
6 either pledged the tax revenues for payment of principal and interest
7 on city revenue or general obligation bonds authorized and issued
8 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and
9 issued revenue or general obligation bonds pursuant to the provisions
10 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

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

15 (b) No taxes collected under this section may be used for the
16 operation or maintenance of a public stadium that is financed directly
17 or indirectly by bonds to which the tax is pledged. Expenditures for
18 operation or maintenance include all expenditures other than
19 expenditures that directly result in new fixed assets or that directly
20 increase the capacity, life span, or operating economy of existing
21 fixed assets.

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

27 (d) If a substantial part of the operation and management of a
28 public stadium that is financed directly or indirectly by bonds to
29 which the tax is pledged is performed by a nonpublic entity or if a
30 public stadium is sold that is financed directly or indirectly by bonds

1 to which the tax is pledged, any bonds to which the tax is pledged
2 shall be retired.

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

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

13 **Sec. 80.** RCW 67.28.240 and 1988 ex.s. c 1 s 21 are each amended to
14 read as follows:

15 (1) The legislative body of a county that qualified under RCW
16 67.28.180(2)(b) other than a (~~class AA~~) county with a population of
17 one million or more and the legislative bodies of cities in the
18 qualifying county are each authorized to levy and collect a special
19 excise tax of two percent on the sale of or charge made for the
20 furnishing of lodging by a hotel, rooming house, tourist court, motel,
21 trailer camp, and the granting of any similar license to use real
22 property, as distinguished from the renting or leasing of real
23 property. For the purposes of this tax, it shall be presumed that the
24 occupancy of real property for a continuous period of one month or more
25 constitutes a rental or lease of real property and not a mere license
26 to use or to enjoy the same.

27 (2) No city may impose the special excise tax authorized in
28 subsection (1) of this section during the time the city is imposing the
29 tax under RCW 67.28.180, and no county may impose the special excise

1 tax authorized in subsection (1) of this section until such time as
2 those cities within the county containing at least one-half of the
3 total incorporated population have imposed the tax.

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

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

14 **Sec. 81.** RCW 70.54.180 and 1979 ex.s. c 63 s 2 are each amended to
15 read as follows:

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

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

25 (3) The county legislative authority of each (~~fifth class or~~
26 ~~smaller~~) county with a population of eighteen thousand or less shall
27 by July 1, 1980, make a determination of whether sufficient need exists
28 with their respective counties to require installation of a
29 telecommunication device. Reconsideration of such determination will be

1 made at any future date when a deaf individual indicates a need for
2 such an instrument.

3 **Sec. 82.** RCW 70.94.053 and 1987 c 505 s 60 and 1987 c 109 s 34 are
4 each reenacted and amended to read as follows:

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

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

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

21 (4) The boards of those authorities designated as activated
22 authorities by this chapter shall be comprised of such appointees
23 and/or members of county (~~(commissioners)~~) legislative authorities or
24 other officers as is provided in RCW 70.94.100. The first meeting of
25 the boards of those authorities designated as activated authorities by
26 this chapter shall be on or before sixty days after June 8, 1967.

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

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

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

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

7 **Sec. 83.** RCW 70.94.055 and 1967 c 238 s 5 are each amended to read
8 as follows:

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

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

18 (2) The city or town ordinances or county resolutions, or their
19 enforcement, are inadequate to prevent or control air pollution,
20 ~~((they))~~ it shall by resolution activate an air pollution control
21 authority or combine with a contiguous county or counties to form a
22 multicounty air pollution control authority.

23 **Sec. 84.** RCW 71.05.135 and 1989 c 174 s 1 are each amended to read
24 as follows:

25 In ~~((class A counties and counties of the first through ninth~~
26 ~~classes))~~ each county with a population of less than one million, the
27 superior court may appoint the following persons to assist the superior
28 court in disposing of its business: PROVIDED, That such positions may

1 not be created without prior consent of the county legislative
2 authority:

3 (1) One or more attorneys to act as mental health commissioners;
4 and

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

8 The appointments provided for in this section shall be made by a
9 majority vote of the judges of the superior court of the county and may
10 be in addition to all other appointments of commissioners and other
11 judicial attaches otherwise authorized by law. Mental health
12 commissioners and investigators shall serve at the pleasure of the
13 judges appointing them and shall receive such compensation as the
14 county legislative authority shall determine. The appointments may be
15 full or part-time positions. A person appointed as a mental health
16 commissioner may also be appointed to any other commissioner position
17 authorized by law.

18 **Sec. 85.** RCW 74.20.210 and 1969 ex.s. c 173 s 14 are each amended
19 to read as follows:

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

1 attorney general which involve a petition received from another county.
2 Upon the execution of such agreement, the attorney general shall be
3 empowered to exercise any and all powers of the prosecuting attorney in
4 connection with said petitions.

5 **Sec. 86.** RCW 79.08.170 and 1983 c 3 s 201 are each amended to read
6 as follows:

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

12 **Sec. 87.** RCW 81.100.030 and 1990 c 43 s 14 are each amended to
13 read as follows:

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

27 Counties may contract with the state department of revenue or other
28 appropriate entities for administration and collection of the tax.

1 Such contract shall provide for deduction of an amount for
2 administration and collection expenses.

3 (2) The tax shall not apply to employment of a person when the
4 employer has paid for at least half of the cost of a transit pass
5 issued by a transit agency for that employee, valid for the period for
6 which the tax would otherwise be owed.

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

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

19 If the tax authorized in RCW 81.100.060 is also imposed by the
20 county, the total proceeds from both tax sources each year shall not
21 exceed the maximum amount which could be collected under RCW
22 81.100.060.

23 **Sec. 88.** RCW 81.100.060 and 1990 c 43 s 17 are each amended to
24 read as follows:

25 A (~~class AA~~) county with a population of one million or more and
26 a (~~class A~~) county with a population of from two hundred ten thousand
27 to less than one million that is adjoining a (~~class AA~~) county with
28 a population of one million or more, having within their boundaries
29 existing or planned high occupancy vehicle lanes on the state highway

1 system may, with voter approval, impose a local surcharge of not more
2 than fifteen percent on the state motor vehicle excise tax paid under
3 RCW 82.44.020(1) on vehicles registered to a person residing within the
4 county. No surcharge may be imposed on vehicles licensed under RCW
5 46.16.070 except vehicles with an unladen weight of six thousand pounds
6 or less, RCW 46.16.079, 46.16.080, 46.16.085, or 46.16.090.

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

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

18 **Sec. 89.** RCW 81.104.030 and 1990 c 43 s 24 are each amended to
19 read as follows:

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

1 distribution within the designated service area and a representative of
2 the department of transportation.

3 (a) City-owned transit systems, county transportation authorities,
4 metropolitan municipal corporations, and public transportation benefit
5 areas participating in joint regional policy committees shall seek
6 voter approval within their own service boundaries of a high capacity
7 transportation system plan and an implementation program including a
8 financing program.

9 (b) An interim regional authority may be formed pursuant to RCW
10 81.104.040(2) and shall seek voter approval of a high capacity
11 transportation plan and financing program within its proposed service
12 boundaries.

13 (2) City-owned transit systems, county transportation authorities,
14 metropolitan municipal corporations, and public transportation benefit
15 areas in counties adjoining state or international boundaries are
16 authorized to participate in the regional high capacity transportation
17 programs of an adjoining state or nation.

18 **Sec. 90.** RCW 81.104.040 and 1990 c 43 s 25 are each amended to
19 read as follows:

20 (1) Agencies in ~~((a class AA))~~ each county with a population of one
21 million or more, and in ~~((class A counties))~~ each county with a
22 population of from two hundred ten thousand to less than one million
23 bordering a ~~((class AA))~~ county with a population of one million or
24 more that are currently authorized to provide high capacity
25 transportation planning and operating services, including but not
26 limited to city-owned transit systems, county transportation
27 authorities, metropolitan municipal corporations, and public
28 transportation benefit areas, must establish through interlocal
29 agreements a joint regional policy committee with proportional

1 representation based upon the population distribution within each
2 agency's designated service area, as determined by the parties to the
3 agreement.

4 (a) The membership of the joint regional policy committee shall
5 consist of locally elected officials who serve on the legislative
6 authority of the existing transit systems and a representative from the
7 department of transportation. Nonvoting membership for elected
8 officials from adjoining counties may be allowed at the committee's
9 discretion.

10 (b) The joint regional policy committee shall be responsible for
11 the preparation and adoption of a regional high capacity transportation
12 system plan and an implementation program including a financing
13 package. This plan shall be in conformance with the metropolitan
14 planning organization's regional transportation plan.

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

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

26 (2) If interlocal agreements have not been executed within two
27 years from March 14, 1990, the designated metropolitan planning
28 organization shall convene within one hundred eighty days a conference
29 to be attended by an elected representative selected by the legislative
30 authority of each city and county in a ~~((class-AA))~~ county with a

1 population of one million or more, and in ((~~class A~~ counties)) each
2 county with a population of from two hundred ten thousand to less than
3 one million bordering a ((~~class AA~~)) county with a population of one
4 million or more.

5 (a) Public notice of the conference shall occur thirty days before
6 the date of the conference.

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

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

17 (d) The conference may elect to pursue regional development by
18 creating a multicounty interim regional high capacity transportation
19 authority. Conference members shall determine the structure and
20 composition of any interim regional authority.

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

1 (ii) State and local jurisdictions, county transportation
2 authorities, metropolitan municipal corporations, or public
3 transportation benefit areas shall retain responsibility for existing
4 facilities and/or services, unless the responsibility is transferred to
5 the high capacity transportation authority or authorities by interlocal
6 agreement.

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

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

27 **Sec. 91.** RCW 81.104.140 and 1990 c 43 s 35 are each amended to
28 read as follows:

1 (1) Agencies authorized to provide high capacity transportation
2 service, including city-owned transit systems, county transportation
3 authorities, metropolitan municipal corporations and public
4 transportation benefit areas, are hereby granted dedicated funding
5 sources for such systems. These dedicated funding sources, as set
6 forth in RCW 81.104.150, 81.104.160, and 81.104.170, are authorized
7 only for agencies located in (~~class AA counties, class A counties,~~
8 ~~counties of the first class which border another state, and counties~~
9 ~~which, on March 14, 1990, are of the second class and which adjoin~~
10 ~~class A counties~~)) the following counties: (a) Each county with a
11 population of two hundred ten thousand or more; (b) each county with a
12 population of from one hundred twenty-five thousand to less than two
13 hundred ten thousand bordering another state; and (c) each county with
14 a population of from one hundred twenty-five thousand to less than two
15 hundred ten thousand, that both borders a county with a population of
16 five hundred thousand or more and through which an interstate highway
17 runs.

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

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

- 23 (a) Acceptability;
- 24 (b) Ease of administration;
- 25 (c) Equity;
- 26 (d) Implementation feasibility;
- 27 (e) Revenue reliability; and
- 28 (f) Revenue yield.

29 (4) Agencies participating in regional high capacity transportation
30 system development through interlocal agreements or a conference-

1 approved interim regional rail authority or subregional process as
2 defined in RCW 81.104.040 are authorized to levy and collect the
3 following voter-approved local option funding sources:

4 (a) Employer tax as provided in RCW 81.104.150;

5 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;

6 and

7 (c) Sales and use tax as provided in RCW 81.104.170.

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

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

21 (6) Agencies providing high capacity transportation service may
22 contract with the state for collection and transference of local option
23 revenue.

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

26 (8) Agencies providing high capacity transportation service shall
27 retain responsibility for revenue encumbrance, disbursement, and
28 bonding. Funds may be used for any purpose relating to planning,
29 construction, and operation of high capacity transportation, commuter
30 rail, and feeder transportation systems.

1 **Sec. 92.** RCW 82.14.045 and 1984 c 112 s 1 and 1983 c 3 s 216 are
2 each reenacted and amended to read as follows:

3 (1) The legislative body of any city pursuant to RCW 35.92.060, of
4 any county which has created an unincorporated transportation benefit
5 area pursuant to RCW 36.57.100 and 36.57.110, of any public
6 transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090,
7 of any county transportation authority established pursuant to chapter
8 36.57 RCW, and of any metropolitan municipal corporation within a
9 (~~class AA~~) county with a population of one million or more pursuant
10 to chapter 35.58 RCW, may, by resolution or ordinance for the sole
11 purpose of providing funds for the operation, maintenance, or capital
12 needs of public transportation systems and in lieu of the excise taxes
13 authorized by RCW 35.95.040, submit an authorizing proposition to the
14 voters or include such authorization in a proposition to perform the
15 function of public transportation and if approved by a majority of
16 persons voting thereon, fix and impose a sales and use tax in
17 accordance with the terms of this chapter: PROVIDED, That no such
18 legislative body shall impose such a sales and use tax without
19 submitting such an authorizing proposition to the voters and obtaining
20 the approval of a majority of persons voting thereon: PROVIDED
21 FURTHER, That where such a proposition is submitted by a county on
22 behalf of an unincorporated transportation benefit area, it shall be
23 voted upon by the voters residing within the boundaries of such
24 unincorporated transportation benefit area and, if approved, the sales
25 and use tax shall be imposed only within such area. Notwithstanding
26 any provisions of this section to the contrary, any county in which a
27 county public transportation plan has been adopted pursuant to RCW
28 36.57.070 and the voters of such county have authorized the imposition
29 of a sales and use tax pursuant to the provisions of section 10,
30 chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975, shall be

1 authorized to fix and impose a sales and use tax as provided in this
2 section at not to exceed the rate so authorized without additional
3 approval of the voters of such county as otherwise required by this
4 section.

5 The tax authorized pursuant to this section shall be in addition to
6 the tax authorized by RCW 82.14.030 and shall be collected from those
7 persons who are taxable by the state pursuant to chapters 82.08 and
8 82.12 RCW upon the occurrence of any taxable event within such city,
9 public transportation benefit area, county, or metropolitan municipal
10 corporation as the case may be. The rate of such tax shall be one-
11 tenth, two-tenths, three-tenths, four-tenths, five-tenths, or six-
12 tenths of one percent of the selling price (in the case of a sales tax)
13 or value of the article used (in the case of a use tax). The rate of
14 such tax shall not exceed the rate authorized by the voters unless such
15 increase shall be similarly approved.

16 (2) (a) In the event a metropolitan municipal corporation shall
17 impose a sales and use tax pursuant to this chapter no city, county
18 which has created an unincorporated transportation benefit area, public
19 transportation benefit area authority, or county transportation
20 authority wholly within such metropolitan municipal corporation shall
21 be empowered to levy and/or collect taxes pursuant to RCW 35.58.273,
22 35.95.040, and/or 82.14.045, but nothing herein shall prevent such city
23 or county from imposing sales and use taxes pursuant to any other
24 authorization.

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

1 levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or
2 82.14.045.

3 (c) In the event a public transportation benefit area shall impose
4 a sales and use tax pursuant to this section, no city, county which has
5 created an unincorporated transportation benefit area, or metropolitan
6 municipal corporation, located wholly or partly within the territory of
7 the public transportation benefit area, shall be empowered to levy or
8 collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045.

9 (3) Any local sales and use tax revenue collected pursuant to this
10 section by any city or by any county for transportation purposes
11 pursuant to RCW 36.57.100 and 36.57.110 shall not be counted as locally
12 generated tax revenues for the purposes of apportionment and
13 distribution, in the manner prescribed by chapter 82.44 RCW, of the
14 proceeds of the motor vehicle excise tax authorized pursuant to RCW
15 35.58.273.

16 **Sec. 93.** RCW 82.44.150 and 1990 c 42 s 308 are each amended to
17 read as follows:

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

27 The total amount of motor vehicle excise taxes remitted to the
28 department, except those payable under RCW 82.44.030, from each county
29 shall be multiplied by a fraction, the numerator of which is the

1 population of the municipality residing in such county, and the
2 denominator of which is the total population of the county in which
3 such municipality or portion thereof is located. The product of this
4 computation shall be the amount of excise taxes from motor vehicle
5 owners residing within such municipality or portion thereof. Where the
6 municipality levying a tax under RCW 35.58.273 is located in more than
7 one county, the above computation shall be made by county, and the
8 combined products shall provide the total amount of motor vehicle
9 excise taxes from motor vehicle owners residing in the municipality as
10 a whole. Population figures required for these computations shall be
11 supplied to the director by the office of financial management, who
12 shall adjust the fraction annually.

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

18 (a) To the high capacity transportation account created in RCW
19 47.78.010, a sum equal to four and five-tenths percent of the special
20 excise tax levied under RCW 35.58.273 by those municipalities
21 authorized to levy a special excise tax within a (~~class AA county, or~~
22 ~~within a class A county contiguous to a class AA county, or within a~~
23 ~~second class county contiguous to a class A county that is contiguous~~
24 ~~to a class AA county)) county with a population of one million or more,
25 or within a county with a population of from two hundred ten thousand
26 to less than one million bordering a county with a population of one
27 million or more, or within a county with a population of from one
28 hundred twenty-five thousand to less than two hundred thousand
29 bordering a county with a population of five hundred thousand or more
30 and through which an interstate highway runs;~~

1 (b) To the central Puget Sound public transportation account
2 created in RCW 82.44.180, for revenues distributed after December 31,
3 1992, within a (~~class AA county or within a class A county contiguous~~
4 ~~to a class AA~~) county with a population of one million or more and a
5 county with a population of from two hundred thousand to less than one
6 million bordering a county with a population of one million or more, a
7 sum equal to the difference between (i) the special excise tax levied
8 and collected under RCW 35.58.273 by those municipalities authorized to
9 levy and collect a special excise tax subject to the requirements of
10 subsections (3) and (4) of this section and (ii) the special excise tax
11 that the municipality would otherwise have been eligible to levy and
12 collect at a tax rate of .815 percent and been able to match with
13 locally generated tax revenues, other than the excise tax imposed under
14 RCW 35.58.273, budgeted for any public transportation purpose. Before
15 this deposit, the sum shall be reduced by an amount equal to the amount
16 distributed under (a) of this subsection for each of the municipalities
17 within the counties to which this subsection (2)(b) applies; however,
18 any transfer under this subsection (2)(b) must be greater than zero;

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

1 distributed under (a) of this subsection for each of the municipalities
2 within the counties to which this subsection (2)(c) applies; however,
3 any transfer under this subsection (2)(c) must be greater than zero;
4 and

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

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

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

28 (b) In no event may the amount remitted in a single calendar
29 quarter exceed the amount collected on behalf of the municipality under

1 RCW 35.58.273 during the calendar quarter next preceding the
2 immediately preceding quarter.

3 (4) At the close of each calendar year accounting period, but not
4 later than April 1, each municipality that has received motor vehicle
5 excise taxes under subsection (3) of this section shall transmit to the
6 director of licensing and the state auditor a written report showing by
7 source the previous year's budgeted tax revenues for public
8 transportation purposes as compared to actual collections. Any
9 municipality that has not submitted the report by April 1 shall cease
10 to be eligible to receive motor vehicle excise taxes under subsection
11 (3) of this section until the report is received by the director of
12 licensing. If a municipality has received more or less money under
13 subsection (3) of this section for the period covered by the report
14 than it is entitled to receive by reason of its locally-generated
15 collected tax revenues, the director of licensing shall, during the
16 next ensuing quarter that the municipality is eligible to receive motor
17 vehicle excise tax funds, increase or decrease the amount to be
18 remitted in an amount equal to the difference between the locally-
19 generated budgeted tax revenues and the locally-generated collected tax
20 revenues. In no event may the amount remitted for a calendar year
21 exceed the amount collected on behalf of the municipality under RCW
22 35.58.273 during that same calendar year. At the time of the next
23 fiscal audit of each municipality, the state auditor shall verify the
24 accuracy of the report submitted and notify the director of licensing
25 of any discrepancies.

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

29 (6) Any municipality levying and collecting a tax under RCW
30 35.58.273 which does not have an operating, public transit system or a

1 contract for public transportation services in effect within one year
2 from the initial effective date of the tax shall return to the state
3 treasurer all motor vehicle excise taxes received under subsection (3)
4 of this section.

5 **Sec. 94.** RCW 87.19.020 and 1923 c 161 s 6 are each amended to read
6 as follows:

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

13 **Sec. 95.** RCW 88.32.230 and 1970 ex.s. c 42 s 37 are each amended
14 to read as follows:

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

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

22 **Sec. 96.** RCW 53.31.911 and 1990 c 297 s 23 are each reenacted and
23 amended to read as follows:

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

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

27 (2) RCW 53.31.020 and 1991 c ... s 74 (section 74 of this act) &
28 1986 c 276 s 2;

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

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

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

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

4 NEW SECTION. **Sec. 97.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 29.13.025 and 1990 c 59 s 101, 1979 ex.s. c 126 s 13, &
7 1965 c 9 s 29.13.025;

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

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

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

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

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

13 (7) RCW 53.12.040 and 1965 c 51 s 4, 1959 c 175 s 2, & 1959 c 17 s
14 7;

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

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

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

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

22 NEW SECTION. **Sec. 98.** (1) Sections 24, 25, 27, and 73 shall
23 take effect July 1, 1992.

24 (2) Section 40 of this act shall take effect July 1, 1993.

25 NEW SECTION. **Sec. 99.** (1) Section 72 of this act shall expire
26 July 1, 1992.

27 (2) Section 39 of this act shall expire July 1, 1993.