
HOUSE BILL 2074

State of Washington 59th Legislature 2005 Regular Session

By Representatives Nixon and Shabro

Read first time 02/16/2005. Referred to Committee on Local Government.

1 AN ACT Relating to creating Cascade county by striking from King
2 county the territory outside the city of Seattle; adding a new chapter
3 to Title 36 RCW; prescribing penalties; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** FINDINGS AND INTENT. The legislature finds
6 that King county has grown in population to exceed that of twelve
7 states, and that as a result of its size can no longer be effectively
8 managed as a single county. The resulting management problems in King
9 county have had an adverse impact throughout the state. Furthermore,
10 the size of King county permits it to have influence over state issues
11 to the detriment of other counties throughout the state. It is
12 therefore a compelling interest of the entire state to divide King
13 county into smaller, more manageable portions. Such a division would
14 enable each of the smaller portions of the county to better serve the
15 needs of its citizens.

16 The legislature further finds that Article II, section 28 of the
17 state Constitution permits the legislature to enact special legislation
18 creating new counties, subject to the requirements in Article XI,
19 section 3 establishing minimum populations for both the new county and

1 the territory remaining in the counties from which territory is
2 stricken, and requiring that a majority of the registered voters in the
3 area to be stricken sign a petition therefor. In fact, this process of
4 enacting special legislation along with a petition to strike territory
5 from an existing county is the mechanism by which all new counties have
6 been created since statehood, because the legislature has yet to enact
7 a general law applicable to the whole state that would permit the
8 people to strike areas from existing counties and create new counties
9 by petition alone. The Constitution, however, does not require the
10 petition to be received prior to the enacting of such special
11 legislation; it requires only that the territory not actually be
12 stricken from the county until after the petition is received.
13 Furthermore, the Constitution does not require that the petition be
14 initiated by the voters in the area to be stricken, but only that they
15 sign the petition. The Constitution does not bar the legislature from
16 initiating the petition to strike territory from an existing county,
17 nor does it bar the use of state resources to develop, circulate, and
18 promote such a petition.

19 The legislature further finds that the population of King county
20 within the boundaries of the city of Seattle is greater than four
21 thousand; that the population of King county outside the boundaries of
22 the city of Seattle is greater than two thousand; and that the
23 territory of King county outside the boundaries of the city of Seattle
24 is a single, contiguous area.

25 The legislature further finds that Article XI, section 16 of the
26 state Constitution provides for the establishment of combined city-
27 county governments, and that if a city and county were to share
28 boundaries, operational efficiencies could be obtained by combining the
29 governments thereof.

30 Accordingly, it is the intent of the legislature to strike from
31 King county the territory which is outside the existing corporate
32 limits of the city of Seattle, and to create therefrom a new county to
33 be known as Cascade county; to circulate a petition amongst the
34 registered voters residing in the area to be stricken to seek their
35 consent to the striking of such territory; to provide for an equitable
36 apportionment of the debts, liabilities, and assets of King county
37 between Cascade county and the remaining portion of King county; and to
38 encourage the residents remaining in King county and the city of

1 Seattle to obtain operational efficiencies by seeking to form a
2 combined city-county government, to be known as the city and county of
3 Seattle, according to the provisions of Article XI, section 16 of the
4 state Constitution.

5 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
6 section apply throughout this chapter unless the context clearly
7 requires otherwise.

8 (1) "Cascade county" means the county that will be created by
9 striking from King county all territory that is outside the corporate
10 limits of the city of Seattle as of the effective date of this act, in
11 accordance with Article XI, section 3 of the state Constitution, upon
12 certification of a petition signed by a majority of the registered
13 voters residing in the territory to be stricken.

14 (2) "Assets" means all: (a) Real estate and leasehold interests in
15 real estate owned by King county; (b) tangible personal property owned
16 or leased by King county; and (c) intangible personal property owned by
17 King county including cash, securities, commercial paper, notes,
18 accounts receivable, and contract rights. Assets are determined as of
19 the first day of the interim period.

20 (3) "Interim period" means the period during which the Cascade
21 county government is established, the apportionment of debts,
22 liabilities, and assets is implemented, and the transfer of all records
23 from King county to Cascade county is completed. The period begins on
24 January 1st of the second year after the certification of a petition
25 signed by a majority of registered voters in the area to be stricken
26 from King county, and the period ends on December 31st of the same
27 year.

28 NEW SECTION. **Sec. 3.** APPOINTMENT OF SPECIAL MASTER. The chief
29 judge of division I of the court of appeals shall, within thirty days
30 of the effective date of this act, appoint a special master to gather
31 facts, conduct hearings, review evidence, and make recommendations to
32 the court regarding the division of assets and liabilities between King
33 county and Cascade county in accordance with sections 4 through 7 of
34 this act.

1 NEW SECTION. **Sec. 4.** DUTIES OF SPECIAL MASTER. (1) The special
2 master shall determine the formal legal description of the territory to
3 be included in Cascade county, consistent with section 2 of this act.

4 (2) The special master shall recommend the boundaries of three
5 initial county commissioner districts for Cascade county.

6 (3) The special master may employ appraisers, accountants,
7 actuaries, engineers, attorneys, or other experts, and consult with
8 state and local agencies, to assemble and evaluate evidence and
9 exercise all other powers otherwise granted to the court that are
10 necessary for the efficient and just resolution of issues.

11 (4) The court of appeals may award payment of fees and costs to any
12 special master and any experts that the special master is authorized to
13 retain. Such fees and costs shall be paid from the general funds of
14 the state.

15 NEW SECTION. **Sec. 5.** EQUITABLE APPORTIONMENT. Cascade county is
16 liable for an equitable proportion of the debts and liabilities of King
17 county and must receive an equitable proportion of the assets of King
18 county.

19 NEW SECTION. **Sec. 6.** APPORTIONMENT. (1) In apportioning the
20 debts and liabilities under section 5 of this act, the court shall not
21 charge either county with any share of debts or liabilities then
22 existing incurred in the purchase of county property, or in the
23 purchase or construction of public buildings then in use or under
24 construction, or roads or bridges then in use or under construction,
25 that are located within the other county except where the repayment of
26 the debt or liability is being made or is to be made from bonds
27 originally authorized by a vote of the qualified electors in the other
28 county.

29 (2) The remaining debts and liabilities of King county must be
30 apportioned so that Cascade county is assigned an amount of debts and
31 liabilities that is in the same proportion as the assessed valuation of
32 Cascade county to the total assessed valuation in King county before
33 the creation of Cascade county. The assessed valuations must be those
34 used for taxes imposed in the year before the effective date of this
35 act.

1 (3) This section may not be construed to affect the rights of
2 creditors.

3 NEW SECTION. **Sec. 7.** APPORTIONMENT OF REAL PROPERTY AND
4 EQUIPMENT. (1) In apportioning the assets of King county, King county
5 retains ownership of real property it owns that remains in its
6 boundaries after the creation of Cascade county. At the effective date
7 of the creation of Cascade county, Cascade county acquires ownership of
8 real property that was owned by King county that is located in Cascade
9 county. No valuation of or compensation for real property is required.

10 (2) All equipment owned by King county that is used in the
11 construction or maintenance of roads or bridges must be apportioned
12 based on total appraised value of the equipment between Cascade county
13 and King county so that Cascade county receives a portion of this
14 equipment that is in the same proportion as the number of miles of
15 county roads in Cascade county is to the total number of miles of
16 county roads in King county before the creation of Cascade county.

17 (3) All other assets of King county, the apportionment of which is
18 not otherwise provided for, must be apportioned between King county and
19 Cascade county based on total appraised value of the assets so that
20 Cascade county receives a portion of these assets that is in the same
21 proportion as the assessed valuation of Cascade county is to the total
22 assessed valuation of King county before the creation of Cascade
23 county. The assessed valuations must be those used for taxes imposed
24 in the year before the effective date of this act.

25 NEW SECTION. **Sec. 8.** ENTRY OF ORDER BY THE COURT. (1) Within six
26 months of the effective date of this act, the court of appeals shall
27 enter an order defining the formal legal description of Cascade county
28 for purposes of petitioning, the boundaries of initial county
29 commission districts, apportioning all debts, liabilities, and assets
30 of King county between King county and Cascade county, and providing
31 for the method of transfer or payment, subject to the creation of
32 Cascade county under section 14 of this act. The order of the court of
33 appeals is final.

34 (2) RCW 2.06.040 applies to a proceeding under this section, except
35 that a decision rendered under this section does not have precedential
36 value and need not be published as an opinion of the court.

NEW SECTION. Sec. 9. CREATION OF PETITIONS. (1) Within thirty days after entry of the order required by section 8 of this act, the secretary of state shall prepare petitions for the formation of Cascade county. Petitions must be substantially in the following form:

WARNING

Every person who signs this petition with any other than his or her true name, knowingly signs more than one petition for the formation of Cascade County, signs this petition when he or she is not a registered voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

PETITION FOR THE FORMATION OF CASCADE COUNTY

To the Honorable, Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the state of Washington, respectfully direct that this petition for the formation of Cascade County, a full, true, and correct copy of the legal description of which is included with this petition, be transmitted to the legislature of the state of Washington, at its next ensuing regular session. We respectfully petition the legislature to create this new county as provided by law and in accordance with Article XI, section 3 of the state Constitution. Each of us for himself or herself declares that: I have personally signed this petition, I am a legal voter of the state of Washington, my residence address is correctly stated and is within the boundaries of Cascade county, and I have not knowingly signed any other petition for the formation of this county.

Petitioner's signature	Print name for positive identification	Residence address, street, and number, if any	City or Town	County
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(Here follow up to 20 numbered lines divided into columns as below.)

1 _____	_____	_____	_____	_____
2 _____	_____	_____	_____	_____

1 3 _____ | _____ | _____ | _____ | _____

2 etc.

3 The complete legal description of the proposed county as ordered by
4 the court must be printed on the petition sheet; the description may
5 appear on the front side of the sheet if space permits, or on the
6 reverse side otherwise. A map of the proposed new county may be
7 printed on the front or back of the petition. Petition forms shall be
8 formatted so that they may be printed on letter-size paper, eight and
9 one-half inches in width and eleven inches in length.

10 NEW SECTION. **Sec. 10.** DISTRIBUTION OF PETITIONS. Within forty-
11 five days after entry of the order required in section 8 of this act,
12 the secretary of state shall mail a copy of the petition form to each
13 and every registered voter household in Cascade county. The secretary
14 of state shall also cause an electronic copy of the petition to be
15 posted on his or her internet web site in a form which cannot be easily
16 modified by a person of ordinary skill, so that voters desiring to
17 print and circulate copies of the petition may easily obtain the same
18 by downloading and printing the petition forms. Both the mailed and
19 electronic versions of the petition form shall be accompanied by a
20 brochure, to be developed by the secretary of state in a manner similar
21 to general election voter guide statements for initiatives, indicating
22 the purpose and effect of the petition, providing information regarding
23 the boundaries of Cascade county and the apportionment debts,
24 liabilities, and assets, and providing instructions for the
25 circulation, signing, and submission of the petition. The brochure
26 shall also indicate that individual petition forms, or any number of
27 petition forms, may be returned directly to the secretary of state by
28 mail or personal delivery without being collected and bound with all
29 other petition forms.

30 NEW SECTION. **Sec. 11.** SUBMISSION OF PETITIONS. Petitions for the
31 formation of a new county may be submitted to the secretary of state at
32 any time up to two years after entry of the order of the court required
33 in section 8 of this act. Signed petition forms may be individually or
34 collectively delivered or mailed without requiring that they be bound
35 and presented in a single submittal. A variation between the signature

1 on the petition and that on the registration record due to the
2 substitution of initials or the use of common nicknames is permitted so
3 long as the surname and handwriting are clearly the same. During the
4 two-year period of signature collection, the secretary of state shall
5 total the number of valid signatures received during each calendar
6 month and publish the monthly and cumulative total of valid signatures
7 received on his or her internet web site, along with the total number
8 of valid signatures needed for certification.

9 NEW SECTION. **Sec. 12.** CERTIFICATION OF PETITIONS. (1) When the
10 number of valid signatures received by the secretary of state reaches
11 or exceeds a majority of the registered voters in Cascade county, the
12 petition shall be deemed complete, and the secretary of state shall
13 certify the sufficiency thereof to the legislature. If the number of
14 valid signatures received by the secretary of state prior to the
15 expiration of the two-year petitioning period is less than a majority
16 of the number of registered voters in Cascade county, and any appeal of
17 such insufficiency under subsection (2) of this section fails, the
18 petition fails and this act shall be null and void and Cascade county
19 shall not be created.

20 (2) Any proponent or opponent of the new county, dissatisfied with
21 the determination of the secretary of state under this section, may
22 appeal that determination to the superior court of Thurston county.
23 The review by the superior court will proceed in the same manner as for
24 initiatives under RCW 29A.72.240.

25 NEW SECTION. **Sec. 13.** PENALTIES FOR FALSE SIGNING OF PETITIONS.
26 (1) Every person who signs a petition requesting the creation of
27 Cascade county with any other than his or her true name is guilty of a
28 class C felony punishable under chapter 9A.20 RCW.
29 (2) Every person who: (a) Knowingly signs more than one petition
30 for the creation of Cascade county; (b) signs a petition requesting the
31 creation of Cascade county knowing that he or she is not a legal voter;
32 or (c) makes a false statement as to his or her residence on any
33 petition requesting the creation of Cascade county, is guilty of a
34 gross misdemeanor punishable under chapter 9A.20 RCW.

1 NEW SECTION. **Sec. 14.** CREATION OF CASCADE COUNTY. Upon
2 certification of the secretary of state of the sufficiency of the
3 petition as required in section 12 of this act, Cascade county is
4 established, with an interim organization period commencing on January
5 1st of the second year after the certification of the petition. The
6 interim period expires on December 31st of the year in which it starts.

7 NEW SECTION. **Sec. 15.** COUNTY OFFICERS; ELECTION OF INTERIM
8 OFFICERS. Cascade county shall have the elected county officers
9 enumerated in RCW 36.16.030. Elections for interim officers of Cascade
10 county shall be held during the year prior to the interim period.

11 (1) A primary must be held under RCW 29A.04.311 for the
12 qualification of candidates for the various Cascade county elected
13 offices, and elections for those offices must be held in conjunction
14 with the state general election in the year prior to the interim
15 period. Except as provided in this section, primaries and elections
16 must be held as provided by the general election laws for partisan
17 county offices.

18 (2) Declarations of candidacy for the initial terms of office for
19 the elected county offices in Cascade county must be filed with the
20 county auditor of King county.

21 (3) Candidates for the office of Cascade county commissioner shall
22 file for one of three separate county commissioner positions. The
23 filing officer shall designate one position for each district, and the
24 voters in each district shall qualify the candidates for county
25 commissioner for that district.

26 (4) If King county does not provide a local voters' pamphlet for
27 the primary or the general election under RCW 29A.32.210 through
28 29A.32.280, the secretary of state shall provide a pamphlet for the
29 jurisdiction of Cascade county only.

30 (5) The King county auditor shall conduct and canvass the election
31 and certify the results to the secretary of state, who shall canvass
32 and certify the results of the primary and the election.

33 (6) Cascade county shall, after the expiration of the interim
34 period, reimburse King county for its share of the primary and election
35 costs under RCW 29A.04.410.

36 (7) The newly elected Cascade county officials shall assume office

1 immediately upon the certification of the election with limited powers
2 during the interim period as provided in this chapter and full powers
3 after the expiration of the interim period.

4 (8) The newly elected Cascade county officials shall each be paid
5 an annual salary in the amount of eighty thousand dollars until the
6 Cascade county board of commissioners adopts a schedule of salaries in
7 accordance with RCW 36.17.020.

8 NEW SECTION. **Sec. 16.** TERMS OF OFFICE. (1) Except as provided in
9 subsection (2) of this section, the terms of office for all of the
10 initial county officials are from the date of the certification of
11 their election until their successors are elected and qualified at the
12 next general election that is one year before the year in which the
13 governor is elected.

14 (2) No regular or unexpired term elections may be held during the
15 interim period. Vacancies in elected county offices will be filled by
16 appointment.

17 (3) After the expiration of the first set of unexpired terms, the
18 terms of all officers will be four years and until their successors are
19 elected and qualified.

20 NEW SECTION. **Sec. 17.** SELECTION OF COUNTY SEAT. The interim seat
21 for Cascade county shall be the city of Kent, with county offices at or
22 near the existing King county regional justice center. The seat of
23 Cascade county shall be selected in accordance with this section,
24 notwithstanding the provisions of chapter 36.12 RCW.

25 (1) No later than the last day of April in the interim period, the
26 Cascade county board of commissioners, in consultation with the other
27 elected county officers, shall adopt provisional requirements for
28 physical facilities for the county government, and provide copies of
29 the same to each city within the county.

30 (2) No later than the last day of July in the interim period, the
31 legislative authorities of cities in Cascade county desiring to be
32 considered as the seat of Cascade county shall adopt by majority vote
33 a resolution petitioning the Cascade county board of commissioners for
34 such consideration, proposing where the county offices could be located
35 and how the requirements adopted by the county commission could be met,

1 and setting forth such other information as may be of value to the
2 people of Cascade county in making an informed choice for the location
3 of the county seat.

4 (3) The board of commissioners shall cause the question of the
5 location of the county seat to be referred to the voters of Cascade
6 county at the general election during the interim period. The ballot
7 shall allow the voter to select from among the cities that petitioned
8 for consideration under subsection (2) of this section.

9 (4) The city receiving the greatest number of votes shall become
10 the seat of Cascade county on January 1st of the year following the
11 interim period. Interim county offices shall be relocated to the
12 county seat as soon as practical consistent with lease obligations for
13 interim offices and availability of offices in the new seat.

14 (5) Following selection of the county seat in accordance with this
15 section, future removal of the county seat to other locations shall be
16 effected according to chapter 36.12 RCW.

17 NEW SECTION. **Sec. 18.** RELATED LEGISLATION. During the regular
18 legislative session during the interim period, the legislature shall:

19 (1) Amend chapter 36.04 RCW and such other titles and chapters as
20 necessary to reflect the establishment of Cascade county consistent
21 with the boundaries established by the court in section 8 of this act;

22 (2) Amend chapters 2.08 and 3.34 RCW, and such other titles and
23 chapters as necessary to provide for a superior court and district
24 courts for Cascade county, so that Cascade county is assigned a number
25 of judges in the same proportion as the population of Cascade county to
26 the population of King county before the creation of Cascade county;

27 (3) Amend such other laws as shall be necessary and proper to fully
28 implement the establishment of Cascade county consistent with this
29 chapter.

30 NEW SECTION. **Sec. 19.** AFFECT ON OTHER DISTRICTS. Except as
31 provided in this section, the creation of Cascade county shall not
32 affect the boundaries of a city, town, or special district of any kind.

33 (1) Unless the initial board of county commissioners provides
34 otherwise, a single road district must exist in Cascade county composed
35 of all the unincorporated area within the county. Territory that is

1 stricken from King county to create Cascade county shall also be
2 stricken from the road district of King county effective as of the
3 final day of the interim period.

4 (2) An area in Cascade county that was included in a county rural
5 library district must remain part of that county rural library
6 district. The trustees of such a library district must be appointed by
7 joint action of the members of the county legislative authorities of
8 King county and Cascade county, with the vote on each appointment
9 distributed among the members of the county legislative authorities so
10 that the combined total vote of all the members of a single county
11 legislative authority is in direct proportion to the percentage of
12 population within the library district residing in that county and each
13 member of that county legislative authority receiving an equal portion
14 of that vote.

15 (3) Effective on the first day after the interim period for the
16 creation of Cascade county, a public transportation benefit area that
17 includes territory located in both the remaining area of King county
18 and Cascade county will have its boundaries reduced to eliminate any
19 territory located in Cascade county.

20 NEW SECTION. **Sec. 20.** COURT JURISDICTION. The superior court and
21 district court for Cascade county shall obtain jurisdiction over all
22 new matters filed on or after the interim period expires, over which
23 those courts otherwise have jurisdiction under the state Constitution
24 and state law. The superior court and district court of King county
25 shall retain jurisdiction of any matters pending before them or on
26 appeal from them on December 31st at the close of the interim period
27 unless all parties to the matter stipulate to a change of venue to the
28 superior or district court of Cascade county.

29 All pleadings, process, documents, and files in the office of the
30 county clerk and in the offices of officers of the superior or district
31 court of King county pertaining to actions and proceedings transferred
32 to the superior or district court of Cascade county must be certified
33 and transferred to the county clerk or to officers of the superior or
34 district court of Cascade county.

35 NEW SECTION. **Sec. 21.** TRANSFER OF RECORDS. Within ten months of
36 the beginning of the interim period for Cascade county, all records,

1 documents, and papers in the offices of county auditor, county
2 assessor, county treasurer, and other county officers of King county,
3 affecting the title or possession of real property in Cascade county,
4 assessed valuation of property located in Cascade county, registration
5 of voters residing in Cascade county, or other appropriate matters,
6 must be certified by the appropriate King county official and must be
7 transferred to the appropriate county officials and officers of Cascade
8 county. If original records, documents, or papers are not transferred,
9 certified copies must be provided. The appropriate county officials of
10 King county and Cascade county may agree to these transfers through
11 electronic, mechanical, or other methods that adequately ensure the
12 accuracy of the transferred information. Cascade county shall pay all
13 costs incurred with regard to the transfer of records, documents, and
14 papers.

15 NEW SECTION. **Sec. 22.** POWERS DURING INTERIM PERIOD. During the
16 interim period for Cascade county, the initial county officials have
17 the following powers:

18 (1) The initial board of county commissioners may adopt ordinances
19 and adopt resolutions necessary to implement the general powers
20 provided by this section. The initial board of county commissioners
21 may also adopt ordinances on any matter within the authority of a
22 noncharter county. The ordinances become effective on the expiration
23 of the interim period.

24 (2) The initial county officials, subject to state law governing
25 counties in general, may purchase or lease land, buildings, equipment,
26 and supplies; contract for services; and employ staff as necessary to
27 implement the powers provided by this section and to assure the
28 establishment of the necessary infrastructure and staffing for the full
29 operation of county government on the expiration of the interim period.

30 (3) The initial Cascade county officials may enter interlocal
31 agreements with King county to facilitate the establishment of Cascade
32 county government and for services to be rendered following the interim
33 period.

34 (4) The initial board of county commissioners may:

35 (a) Cause tax anticipation or revenue anticipation notes or
36 warrants or other short-term obligations to be issued as provided in
37 chapter 39.50 RCW;

1 (b) Authorize the borrowing of money from state or federal agencies
2 to the same extent as is authorized for a nonhome-rule county;

3 (c) Submit ballot propositions to the voters of Cascade county
4 authorizing a single-year excess levy to be imposed, as provided by RCW
5 84.52.052;

6 (d) Submit ballot propositions to the voters of Cascade county
7 authorizing both voter-approved general indebtedness and bond
8 retirement excess levies, as provided by RCW 84.52.056 and 39.36.050;

9 (e) Impose property taxes as authorized for counties, to be
10 collected after the interim period; and

11 (f) Impose excise taxes as authorized for counties effective on
12 January 1st after the interim period, including, but not limited to,
13 sales and use taxes authorized in chapter 82.14 RCW and real estate
14 excise taxes authorized in chapter 82.46 RCW.

15 NEW SECTION. **Sec. 23.** AUTHORITY AND OBLIGATIONS DURING INTERIM
16 PERIOD. The initial county officers of Cascade county during the
17 interim period are subject to all state laws limiting the authority of
18 or imposing obligations on such offices as if Cascade county were fully
19 established.

20 NEW SECTION. **Sec. 24.** APPLICABILITY OF KING COUNTY ORDINANCES
21 DURING INTERIM PERIOD. All ordinances, rules, and regulations of King
22 county that are in effect at the beginning of the interim period and
23 that are adopted by King county during the interim period have their
24 full force and effect within the portion of King county that is
25 stricken to form Cascade county until the end of the interim period,
26 unless repealed by King county before that date.

27 NEW SECTION. **Sec. 25.** PROVISION OF SERVICES DURING INTERIM
28 PERIOD. During the interim period, King county remains responsible for
29 providing all county services previously provided by it in the portion
30 of King county that is stricken to form Cascade county at the current
31 level of service, unless otherwise agreed to between King county and
32 the initial officers of Cascade county.

33 NEW SECTION. **Sec. 26.** BUDGET DURING INTERIM PERIOD. (1) The
34 budget for the interim period for Cascade county must be adopted as

1 provided in this section. The budget for the first budget cycle of
2 Cascade county after the interim period must be adopted as provided in
3 chapter 36.40 RCW.

4 (2) The initial board of county commissioners shall adopt a budget
5 for the interim period and make any subsequent amendments in
6 consultation with the state auditor and the department of community,
7 trade, and economic development. The department of community, trade,
8 and economic development shall provide to the initial officers of
9 Cascade county, at the earliest date feasible after the certification
10 of the petition authorizing formation of Cascade county, a report
11 detailing the potential revenues and expenses of the new county. The
12 interim period budget may initially authorize expenditure of moneys by
13 general category without specific detail. The budget may be amended
14 periodically during the interim period to reflect actual revenues or
15 expenditure requirements as they become known.

16 NEW SECTION. **Sec. 27.** BORROWING DURING INTERIM PERIOD. During
17 the interim period, the initial board of county commissioners may
18 borrow money from the state treasurer in amounts and on terms deemed
19 prudent and reasonable by the state treasurer.

20 Any loan obtained under this section must be repaid within three
21 years of the initial disbursement. The state treasurer may withhold
22 moneys from the funds otherwise payable to Cascade county to assure
23 repayment.

24 NEW SECTION. **Sec. 28.** TAXATION DURING INTERIM PERIOD. King
25 county shall continue imposing sales and use taxes throughout its
26 entire boundaries until the end of the interim period. Before the end
27 of the interim period, King county will continue receiving federal and
28 state moneys allocated to it as if Cascade county did not exist. State
29 moneys must be allocated to Cascade county on whatever basis these
30 moneys are distributed commencing on the first day after the interim
31 period.

32 NEW SECTION. **Sec. 29.** AUTHORITY TO BE LIBERALLY CONSTRUED. The
33 rule of strict construction does not apply to this chapter. The
34 authority granted to the initial county commissioners of Cascade county
35 must be liberally interpreted to provide for a transition to Cascade

1 county during the interim period so that, to the greatest extent
2 possible, Cascade county will be able to fully function as a complete
3 county government at the end of the interim period.

4 NEW SECTION. **Sec. 30.** ALLOCATION OF TRANSPORTATION FUNDS.
5 Beginning on January 1st following the interim period for Cascade
6 county, the department of transportation shall adjust the allocations
7 of transportation moneys made to counties to include Cascade county on
8 the same bases as apply to previously existing counties.

9 NEW SECTION. **Sec. 31.** INITIAL REDISTRICTING. The provisions of
10 RCW 36.32.020 notwithstanding, the Cascade county board of
11 commissioners shall have power to change the lines of the county
12 commission districts once within the first four years of existence of
13 the new county.

14 NEW SECTION. **Sec. 32.** CREATION OF THE CITY AND COUNTY OF SEATTLE.
15 If Cascade county is created, the legislature encourages the residents
16 remaining in King county and the city of Seattle to seek, according to
17 the provisions of Article XI, section 16 of the state Constitution, to
18 form a combined city-county government, which may be known as the city
19 and county of Seattle, and to commence such action immediately upon the
20 completion of the interim period.

21 NEW SECTION. **Sec. 33.** CAPTIONS. Captions used in this chapter
22 are not any part of the law.

23 NEW SECTION. **Sec. 34.** SEVERABILITY. If any provision of this act
24 or its application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

27 NEW SECTION. **Sec. 35.** EFFECTIVE DATE. This act is necessary for
28 the immediate preservation of the public peace, health, or safety, or
29 support of the state government and its existing public institutions,
30 and takes effect immediately.

1 NEW SECTION. **Sec. 36.** CODIFICATION. Sections 1 through 35 of
2 this act constitute a new chapter in Title 36 RCW.

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