

## CHAPTER 105.

[Senate Bill No. 168.]

## METROPOLITAN MUNICIPAL CORPORATIONS.

AN ACT relating to metropolitan municipal corporations; amending sections 35.58.040, 35.58.100, 35.58.120, 35.58.140, 35.58.150, 35.58.180, 35.58.240, 35.58.270, 35.58.450, 35.58.460 and 35.58.530, chapter 7, Laws of 1965 and RCW 35.58.040, 35.58.100, 35.58.120, 35.58.140, 35.58.150, 35.58.180, 35.58.240, 35.58.270, 35.58.450, 35.58.460 and 35.58.530; and adding new sections to chapter 7, Laws of 1965 and to chapter 35.58 RCW; validating prior proceedings; and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

Section 1. Section 35.58.040, chapter 7, Laws of 1965 and RCW 35.58.040 are each amended to read as follows:

RCW 35.58.040 amended.

At the time of its formation no metropolitan municipal corporation shall include only a part of any city, and every city shall be either wholly included or wholly excluded from the boundaries of such corporation. If subsequent to the formation of a metropolitan municipal corporation a part only of any city shall be included within the boundaries of a metropolitan municipal corporation such part shall be deemed to be "unincorporated" for the purpose of selecting a member of the metropolitan council pursuant to subsection 2 of section 3 of this 1967 amendatory act and such city shall neither select nor participate in the selection of a member on the metropolitan council pursuant to section 3 of this 1967 amendatory act.

Metropolitan municipal corporations. Territory which must be included or excluded.

Sec. 2. Section 35.58.100, chapter 7, Laws of 1965 and RCW 35.58.100 are each amended to read as follows:

RCW 35.58.100 amended.

A metropolitan municipal corporation may be authorized to perform one or more metropolitan functions in addition to those which it has pre-

Metropolitan  
municipal  
corporations—  
Additional  
functions—  
Authorized by  
election.

viously been authorized to perform, with the approval of the voters at an election, in the manner provided in this section.

An election to authorize a metropolitan municipal corporation to perform one or more additional metropolitan functions may be called pursuant to a resolution or a petition in the following manner:

(1) A resolution calling for such an election may be adopted by:

(a) The city council of the central city; or

(b) The city councils of at least one-half in number of the component cities other than the central city; or

(c) The board of commissioners of the central county. Such resolution shall be transmitted to the metropolitan council.

(2) A petition calling for such an election shall be signed by at least four percent of the registered voters residing within the metropolitan area and shall be filed with the auditor of the central county.

Any resolution or petition calling for such an election shall name the additional metropolitan functions which the metropolitan municipal corporation shall be authorized to perform.

Upon receipt of such a petition, the auditor shall examine the signatures thereon and certify to the sufficiency thereof. For the purpose of examining the signatures on such petition, the auditor shall be permitted access to all voter registration books of any component county and of all component cities. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the metropolitan council, together with his certificate as to the sufficiency of signatures thereon.

Upon receipt of a valid resolution or duly certified petition calling for an election on the authori-

zation of the performance of one or more additional metropolitan functions, the metropolitan council shall cause to be called a special election to be held not more than one hundred and twenty days nor less than sixty days following such receipt. Such special election shall be conducted and canvassed as provided in this chapter for an election on the question of forming a metropolitan municipal corporation. The ballot proposition shall be in substantially the following form:

“Shall the .....metropolitan municipal corporation be authorized to perform the additional metropolitan functions of ..... (here insert the title of each of the additional functions to be authorized as set forth in the petition or resolution)?

YES .....   
 NO ..... ”

If a majority of the persons voting on the proposition shall vote in favor thereof, the metropolitan municipal corporation shall be authorized to perform such additional metropolitan function or functions.

Sec. 3. Section 35.58.120, chapter 7, Laws of 1965 and RCW 35.58.120 are each amended to read as follows:

RCW 35.58.120 amended.

A metropolitan municipal corporation shall be governed by a metropolitan council composed of the following:

Metropolitan municipal corporations—  
 Metropolitan council—  
 Composition—  
 Chairman.

(1) One member selected by, and from, the board of commissioners of the central county;

(2) One additional member selected by the board of commissioners of each component county for each county commissioner district containing ten thousand or more persons residing in the unincorporated portion of such commissioner district lying within the metropolitan municipal corporation who

Metropolitan  
municipal  
corporations—  
Metropolitan  
council—  
Composition—  
Chairman.

shall be either the county commissioner from such district or a resident of such unincorporated portion.

(3) One member from each of the six largest component cities who shall be the mayor of such city, if such city shall have the mayor-council form of government, and in other cities shall be selected by, and from, the mayor and city council of each of such cities.

(4) One member representing all component cities other than the six largest cities to be selected by and from the mayors of such smaller cities in the following manner: The mayors of all such cities shall meet on the second Tuesday following the establishment of a metropolitan municipal corporation and thereafter on the third Tuesday in June of each even-numbered year at two o'clock p.m. at the office of the board of county commissioners of the central county. The chairman of such board shall preside. After nominations are made, successive ballots shall be taken until one candidate receives a majority of all votes cast.

(5) One additional member selected by the city council of each component city containing a population of ten thousand or more for each sixty thousand population over and above the first ten thousand, such members to be selected from such city council until all councilmen are members and thereafter to be selected from other elected officers of such city.

(6) One member, who shall be chairman of the metropolitan council, selected by the other members of the council. He shall not hold any public office of or be an employee of any component city or component county of the metropolitan municipal corporation.

Sec. 4. Section 35.58.140, chapter 7, Laws of 1965 and RCW 35.58.140 are each amended to read as follows:

RCW 35.58.140  
amended.

Each member of a metropolitan council except those selected under the provisions of RCW 35.58.120 (4) and (6), shall hold office at the pleasure of the body which selected him. Each member, who shall hold office ex officio, may not hold office after he ceases to hold the position of mayor, commissioner, or councilman. The chairman shall hold office until the second Tuesday in July of each even-numbered year and may, if reelected, serve more than one term. Each member shall hold office until his successor has been selected as provided in this chapter.

Metropolitan  
council—  
Terms.

Sec. 5. Section 35.58.150, chapter 7, Laws of 1965 and RCW 35.58.150 are each amended to read as follows:

RCW 35.58.150  
amended.

A vacancy in the office of a member of the metropolitan council shall be filled in the same manner as provided for the original selection. The meeting of mayors to fill a vacancy of the member selected under the provisions of RCW 35.58.120 (4) shall be held at such time and place as shall be designated by the chairman of the metropolitan council after ten days' written notice mailed to the mayors of each of the cities specified in RCW 35.58.120 (4).

Metropolitan  
council—  
Vacancies.

Sec. 6. Section 35.58.180, chapter 7, Laws of 1965 and RCW 35.58.180 are each amended to read as follows:

RCW 35.58.180  
amended.

In addition to the powers specifically granted by this chapter a metropolitan municipal corporation shall have all powers which are necessary to carry out the purposes of the metropolitan municipal corporation and to perform authorized metropolitan functions. A metropolitan municipal corporation may contract with the United States or any agency thereof, any state or agency thereof, any other metropolitan municipal corporation, any county, city, special district, or governmental agency and any

Metropolitan  
municipal  
corporation—  
General  
powers.

Metropolitan  
municipal  
corporation—  
General  
Powers.

private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction or operation of metropolitan facilities and a metropolitan municipal corporation may contract with any governmental agency or with any private person, firm or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased or held by the other party and for the purpose of planning, constructing or operating any facility or performing any service which the metropolitan municipal corporation may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties: *Provided*, That before any contract for the lease or operation of any metropolitan public transportation facilities shall be let to any private person, firm or corporation, competitive bids shall first be called upon such notice, bidder qualifications and bid conditions as the metropolitan council shall determine.

A metropolitan municipal corporation may sue and be sued in its corporate capacity in all courts and in all proceedings.

New section.

Sec. 7. There is added to chapter 7, Laws of 1965 and to chapter 35.58 RCW a new section to read as follows:

Comprehen-  
sive plans—  
Studies.

The metropolitan council of a metropolitan municipal corporation upon the affirmative vote of two-thirds of the members of such council may make planning, engineering, legal, financial and feasibility studies preliminary to or incident to the preparation of a recommended comprehensive plan for any metropolitan function, and may prepare such a recommended comprehensive plan before the metropolitan municipal corporation has been au-

thorized to perform such function. The studies and plan may cover territory within and without the metropolitan municipal corporation. A recommended comprehensive plan prepared pursuant to this section for any metropolitan function may not be adopted by the metropolitan council unless the metropolitan municipal corporation shall have been authorized to perform such function.

Sec. 8. There is added to chapter 7, Laws of 1965 and to chapter 35.58 RCW a new section to read as follows:

New section.

Whenever a recommended comprehensive plan for the performance of any additional metropolitan function shall have been prepared and the metropolitan council shall have found the plan to be feasible the council may by resolution call a special election to authorize the performance of such additional function without the filing of the petitions or resolutions provided for in section 2 of this 1967 amendatory act.

Metropolitan  
municipal  
corporations—  
Additional  
functions—  
Alternate  
procedure—  
Election proce-  
dure. General  
obligation  
bonds.

If the metropolitan council shall determine that the performance of such function requires enlargement of the metropolitan area, such resolution shall contain a description of the boundaries of the proposed metropolitan area and may be adopted only after a public hearing thereon before the council. Notice of such hearing shall be published once a week for at least two consecutive weeks in one or more newspapers of general circulation within the proposed metropolitan area. The notice shall contain a description of the boundaries of the proposed metropolitan area, shall name the additional function or functions to be performed and shall state the time and place of the hearing and the fact that any changes in the boundaries of the proposed metropolitan area will be considered at such time and place. At such hearing any interested person may appear and be heard. The council may make such changes

Metropolitan  
municipal  
corporations—  
Additional  
functions—  
Alternate  
procedure—  
Election proce-  
dure. General  
obligation  
bonds.

in the proposed metropolitan area as they shall deem reasonable and proper, but may not delete any portion of the existing metropolitan area and may not delete any portion of the proposed additional area which will create an island of included or excluded lands. If the council shall determine that the proposed additional area should be further enlarged, a second hearing shall be held and notice given in the same manner as for the original hearing. The council may adjourn the hearing or hearings from time to time.

Following the conclusion of such hearing or hearings the council may adopt a resolution fixing the boundaries of the proposed metropolitan area and calling a special election on the performance of such additional function. If the metropolitan municipal corporation is then authorized to perform the function of metropolitan sewage disposal the council may provide in such resolution that local governmental agencies collecting sewage from areas outside the metropolitan area as same is constituted on the date of adoption of such resolution will not thereafter be required to discharge such sewage into the metropolitan sewer system or to secure approval of local construction plans from the metropolitan municipal corporation unless such local agency shall first have entered into a contract with the metropolitan municipal corporation for the disposal of such sewage. The metropolitan council may also provide in such resolution that the authorization to perform such additional function be effective only if the voters at such election also authorize the issuance of any general obligation bonds required to carry out the recommended comprehensive plan.

The resolution calling such election shall fix the form of the ballot proposition and the same may vary from that specified in section 2 of this 1967 amendatory act. If the metropolitan council shall

find that the issuance of general obligation bonds is necessary to perform such additional function and to carry out such recommended comprehensive plan then the ballot proposition shall set forth the principal amount of such bonds and the maximum maturity thereof and the proposition shall be so worded that the voters may by a single yes or no vote authorize the performance of the designated function in the area described in the resolution and the issuance of such general obligation bonds.

The persons voting at such election shall be all of the qualified voters who have resided within the boundaries of the proposed metropolitan area for at least thirty days preceding the date of the election. The election shall be conducted and canvassed as provided in RCW 35.58.090.

If the resolution calling such election does not require the approval of general obligation bonds as a condition of the performance of such additional function and if a majority of the persons voting on the ballot proposition residing within the existing metropolitan municipal corporation shall vote in favor thereof and a majority of the persons residing within the area proposed to be added to the existing metropolitan municipal corporation shall vote in favor thereof the boundaries described in the resolution calling the election shall become the boundaries of the metropolitan municipal corporation and the metropolitan municipal corporation shall be authorized to perform the additional function described in the proposition.

If the resolution calling such election shall require the authorization of general obligation bonds as a condition of the performance of such additional function, then to be effective the ballot proposition must be approved as provided in the preceding paragraph and must also be approved by at least three-fifths of the persons voting thereon and the

number of persons voting on such proposition must constitute not less than forty percent of the total number of votes cast within such area at the last preceding state general election.

New section.

Sec. 9. There is added to chapter 7, Laws of 1965 and to chapter 35.58 RCW a new section to read as follows:

Metropolitan  
municipal  
corporations—  
Additional  
functions—  
Alternate  
method—  
Election—  
Proposition to  
issue general  
obligation  
bonds.

The metropolitan council may at the same election called to authorize the performance of an additional function or at a special election called by the council after it has been authorized to perform any metropolitan function submit a proposition for the issuance of general obligation bonds for capital purposes as provided in section 13 of this 1967 amendatory act or a proposition for the levy of a general tax for any authorized purpose for one year in such total dollar amount as the metropolitan council may determine and specify in such proposition. Any such proposition to be effective must be assented to by at least three-fifths of the persons voting thereon and the number of persons voting on such proposition shall constitute not less than forty percent of the total number of votes cast within the metropolitan area at the last preceding state general election. Any such proposition shall only be effective if the performance of the additional function shall be authorized at such election or shall have been authorized prior thereto.

New section.

Sec. 10. There is added to chapter 7, Laws of 1965 and to chapter 35.58 RCW a new section to read as follows:

The metropolitan council may at an election held to authorize the performance of the function of metropolitan public transportation submit to the voters the proposition of whether the metropolitan transportation function shall be performed with an appointed commission pursuant to section 12 of this

1967 amendatory act or by the metropolitan council without the appointment of such a commission. If such a proposition is not submitted and the municipality is authorized to perform the function of metropolitan transportation a commission shall be appointed in the manner and with the powers and duties provided in section 12 of this 1967 amendatory act. If such a proposition is submitted it shall be in substantially the following form:

Additional function—Administration—Election to select.

“If the . . . . (here insert name of metropolitan municipal corporation) . . . . is authorized to perform the function of metropolitan public transportation shall this function be performed by a seven-member appointed commission as provided in RCW 35.58.270 or shall this function be performed by the metropolitan council without the appointment of such commission?

FOR COMMISSION MANAGEMENT..   
 FOR COUNCIL MANAGEMENT..... 

Sec. 11. Section 35.58.240, chapter 7, Laws of 1965 and RCW 35.58.240 are each amended to read as follows:

RCW 35.58.240 amended.

If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan transportation, it shall have the following powers in addition to the general powers granted by this chapter:

Metropolitan municipal corporations—Powers relative to transportation.

(1) To prepare, adopt and carry out a general comprehensive plan for public transportation service which will best serve the residents of the metropolitan area and to amend said plan from time to time to meet changed conditions and requirements.

(2) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of metropolitan transportation facilities and properties within or without the metropolitan area,

Metropolitan  
municipal  
corporations—  
Powers rela-  
tive to trans-  
portation.

including systems of surface, underground or over-head railways, tramways, buses, or any other means of local transportation except taxis, and including passenger terminal and parking facilities and properties and such other facilities and properties as may be necessary for passenger and vehicular access to and from such terminal and parking facilities and properties, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities. Public transportation facilities and properties which are owned by any city may be acquired or used by the metropolitan municipal corporation only with the consent of the city council of the city owning such facilities. Cities are hereby authorized to convey or lease such facilities to metropolitan corporations or to contract for their joint use on such terms as may be fixed by agreement between the city council of such city and the metropolitan council, without submitting the matter to the voters of such city.

(3) To fix rates and charges for the use of such facilities.

RCW 35.58.270  
amended.

Sec. 12. Section 35.58.270, chapter 7, Laws of 1965 and RCW 35.58.270 are each amended to read as follows:

Metropolitan  
transit  
commission.

If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan transportation with a commission form of management, a metropolitan transit commission shall be formed prior to the effective date of the assumption of such function. Except as provided in this section, the metropolitan transit commission shall exercise all powers of the metropolitan municipal corporation with respect to metropolitan transportation facilities, including but not limited to the power to construct, acquire, maintain, operate, extend, alter, repair, control and manage a local public transportation system within and without the metropolitan

area, to establish new passenger transportation services and to alter, curtail, or abolish any services as the commission may deem desirable and to fix tolls and fares.

The comprehensive plan for public transportation service and any amendments thereof shall be adopted by the metropolitan council and the metropolitan transit commission shall provide transportation facilities and service consistent with such plan. The metropolitan transit commission shall authorize expenditures for transportation purposes within the budget adopted by the metropolitan council. Tolls and fares may be fixed or altered by the commission only after approval thereof by the metropolitan council. Bonds of the metropolitan municipal corporation for public transportation purposes shall be issued by the metropolitan council as provided in this chapter.

The metropolitan transit commission shall consist of seven members. Six of such members shall be appointed by the metropolitan council and the seventh member shall be the chairman of the metropolitan council who shall be ex officio the chairman of the metropolitan transit commission. Three of the six appointed members of the commission shall be residents of the central city and three shall be residents of the metropolitan area outside of the central city. The three central city members of the first metropolitan transit commission shall be selected from the existing transit commission of the central city, if there be a transit commission in such city. The terms of first appointees shall be for one, two, three, four, five and six years, respectively. Thereafter, commissioners shall serve for a term of four years. Compensation of transit commissioners shall be determined by the metropolitan council.

RCW 35.58.450  
amended.

Sec. 13. Section 35.58.450, chapter 7, Laws of 1965 and RCW 35.58.450 are each amended to read as follows:

Metropolitan  
municipal  
corporations—  
General obli-  
gation bonds—  
Issuance, sale  
form, terms,  
election, pay-  
ment. Limita-  
tion on indebt-  
edness.

Notwithstanding the limitations of chapter 39.36 RCW and any other statutory limitations otherwise applicable and limiting municipal debt, a metropolitan municipal corporation shall have the power to authorize and to issue general obligation bonds and to pledge the full faith and credit of the corporation to the payment thereof, for any authorized capital purpose of the metropolitan municipal corporation: *Provided*, That a proposition authorizing the issuance of such bonds shall have been submitted to the electors of the metropolitan municipal corporation at a special election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Such general obligation bonds may be authorized in any total amount in one or more propositions and the amount of such authorization may exceed the amount of bonds which could then lawfully be issued. Such bonds may be issued in one or more series from time to time out of such authorization but at no time shall the total general indebtedness of the metropolitan municipal corporation exceed five percent of the actual value of the taxable property therein to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness. Both principal of and interest on such general obligation bonds shall be payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the forty mill tax limit and may also be made payable from any

otherwise unpledged revenue which may be derived from the ownership or operation of properties or facilities incident to the performance of the authorized function for which such bonds are issued. The metropolitan council may include in the principal amount of such bond issue an amount for engineering, architectural, planning, financial, legal, urban design and other services incident to acquisition or construction solely for authorized capital purposes and may include an amount to establish a guaranty fund for revenue bonds issued solely for capital purposes.

General obligation bonds shall bear interest at a rate of not to exceed six percent per annum and shall mature in not to exceed forty years from the date of issue. The various annual maturities shall commence not more than five years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.

Such bonds shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature and the seal of the metropolitan corporation shall be impressed thereon. Each of the interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities of the first class and at a price not less than par and accrued interest.

Sec. 14. Section 35.58.460, chapter 7, Laws of 1965 and RCW 35.58.460 are each amended to read as follows:

RCW 35.58.460  
amended.

A metropolitan municipal corporation may issue revenue bonds to provide funds to carry out its authorized metropolitan sewage disposal, water supply, garbage disposal or transportation purposes,

Metropolitan  
municipal  
corporations—  
Revenue bonds—  
—Issuance,  
sale, term,  
form, election,  
payment.

without submitting the matter to the voters of the metropolitan municipal corporation. The metropolitan council shall create a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the metropolitan council may obligate the metropolitan municipal corporation to pay such amounts of the gross revenue of the particular utility constructed, acquired, improved, added to, or repaired out of the proceeds of sale of such bonds, as the metropolitan council shall determine. The principal of, and interest on, such bonds shall be payable only out of such special fund or funds, and the owners and holders of such bonds shall have a lien and charge against the gross revenue of such utility.

Such revenue bonds and the interest thereon issued against such fund or funds shall be a valid claim of the holders thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the metropolitan municipal corporation.

Each such revenue bond shall state upon its face that it is payable from such special fund or funds, and all revenue bonds issued under this chapter shall be negotiable securities within the provisions of the law of this state. Such revenue bonds may be registered either as to principal only or as to principal and interest, or may be bearer bonds, shall be in such denominations as the metropolitan council shall deem proper; shall be payable at such time or times and at such places as shall be determined by the metropolitan council; shall bear interest at such rate or rates as shall be determined by the metropolitan council, shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature, and the seal of the metropolitan municipal corporation shall be impressed thereon; each of the

interest coupons shall be signed by the facsimile signatures of said officials.

Such revenue bonds shall be sold in such manner as the metropolitan council shall deem to be for the best interests of the metropolitan municipal corporation, either at public or private sale. The aggregate interest cost to maturity of the money received for such revenue bonds shall not exceed seven percent per annum.

The metropolitan council may at the time of the issuance of such revenue bonds make such covenants with the purchasers and holders of said bonds as it may deem necessary to secure and guarantee the payment of the principal thereof and the interest thereon, including but not being limited to covenants to set aside adequate reserves to secure or guarantee the payment of such principal and interest, to maintain rates sufficient to pay such principal and interest and to maintain adequate coverage over debt service, to appoint a trustee or trustees for the bondholders to safeguard the expenditure of the proceeds of sale of such bonds and to fix the powers and duties of such trustee or trustees and to make such other covenants as the metropolitan council may deem necessary to accomplish the most advantageous sale of such bonds. The metropolitan council may also provide that revenue bonds payable out of the same source may later be issued on a parity with revenue bonds being issued and sold.

The metropolitan council may include in the principal amount of any such revenue bond issue an amount to establish necessary reserves, an amount for working capital and an amount necessary for interest during the period of construction of any such metropolitan facilities plus six months. The metropolitan council may, if it deems it to the best interest of the metropolitan municipal corporation, provide in any contract for the construction or ac-

Metropolitan municipal corporations—Revenue bonds—Issuance, sale, term, form, election, payment.

quisition of any metropolitan facilities or additions or improvements thereto or replacements or extensions thereof that payment therefor shall be made only in such revenue bonds at the par value thereof.

If the metropolitan municipal corporation shall fail to carry out or perform any of its obligations or covenants made in the authorization, issuance and sale of such bonds, the holder of any such bond may bring action against the metropolitan municipal corporation and compel the performance of any or all of such covenants.

RCW 35.58.530 amended.

Sec. 15. Section 35.58.530, chapter 7, Laws of 1965 and RCW 35.58.530 are each amended to read as follows:

Annexation—Requirement—Procedure.

Territory annexed to a component city after the establishment of a metropolitan municipal corporation shall by such act be annexed to such corporation. Territory within a metropolitan municipal corporation may be annexed to a city which is not within such metropolitan municipal corporation in the manner provided by law and in such event either (1) such city may be annexed to such metropolitan municipal corporation by ordinance of the legislative body of the city concurred in by resolution of the metropolitan council, or (2) if such city shall not be so annexed such territory shall remain within the metropolitan municipal corporation unless such city shall by resolution of its legislative body request the withdrawal of such territory subject to any outstanding indebtedness of the metropolitan corporation and the metropolitan council shall by resolution consent to such withdrawal.

Any other territory adjacent to a metropolitan municipal corporation may be annexed thereto by vote of the qualified electors residing in the territory to be annexed, in the manner provided in this chapter. An election to annex such territory may be

called pursuant to a petition or resolution in the following manner:

(1) A petition calling for such an election shall be signed by at least four percent of the qualified voters residing within the territory to be annexed and shall be filed with the auditor of the central county.

(2) A resolution calling for such an election may be adopted by the metropolitan council.

Any resolution or petition calling for such an election shall describe the boundaries of the territory to be annexed, and state that the annexation of such territory to the metropolitan municipal corporation will be conducive to the welfare and benefit of the persons or property within the metropolitan municipal corporation and within the territory proposed to be annexed.

Upon receipt of such a petition, the auditor shall examine the same and certify to the sufficiency of the signatures thereon. For the purpose of examining the signatures on such petition, the auditor shall be permitted access to the voter registration books of each city within the territory proposed to be annexed and of each county a portion of which shall be located within the territory proposed to be annexed. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the metropolitan council, together with his certificate as to the sufficiency thereof.

Sec. 16. There is added to chapter 7, Laws of 1965 and to chapter 35.58 RCW a new section to read as follows: New section.

No county or city shall have the right to impose a tax upon the gross revenues derived by a metropolitan municipal corporation from the operation of

Metropolitan  
municipal  
corporations—  
Tax exemp-  
tions and off-  
sets—Sewage  
disposal, water  
supply, gar-  
bage disposal  
or public  
transportation  
functions.

a metropolitan sewage disposal, water supply, garbage disposal or public transportation system.

A metropolitan municipal corporation may credit or offset against the amount of any tax which is levied by the state during any calendar year upon the gross revenues derived by such metropolitan municipal corporation from the performance of any authorized function, the amount of any expenditures made from such gross revenues by such metropolitan municipal corporation during the same calendar year in planning for or performing the function of metropolitan public transportation and to the extent of such credit a metropolitan municipal corporation may expend such revenues for such purposes.

A metropolitan municipal corporation authorized to perform the function of metropolitan public transportation and engaged in the operation of an urban passenger transportation system shall receive a refund of the amount of the motor vehicle fuel tax levied by the state and paid on each gallon of motor vehicle fuel used, whether such vehicle fuel tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such tax to the price of such fuel: *Provided*, That no refunds authorized by this section shall be granted on fuel used by any urban transportation vehicle on any trip where any portion of said trip is more than six road miles beyond the corporate limits of the metropolitan municipal corporation in which said trip originated.

Ratification  
and validation  
of prior acts.

Sec. 17. All proceedings which have been taken prior to the date this 1967 amendatory act takes effect for the purpose of financing or aiding in the financing of any work, undertaking or project by any metropolitan municipal corporation, including all proceedings for the authorization and issuance of bonds and for the sale, execution, and delivery thereof, are hereby validated, ratified, approved, and

confirmed, notwithstanding any lack of power (other than constitutional) of such metropolitan municipal corporation or the governing body or officers thereof, to authorize and issue such bonds, or to sell, execute, or deliver the same and notwithstanding any defects or irregularities (other than constitutional) in such proceedings.

Sec. 18. If any provision of this 1967 amendatory act, or its application to any person or circumstances is held invalid, the remainder of this 1967 amendatory act, or the application of the provision to other persons or circumstances is not affected. Severability.

Sec. 19. This 1967 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Emergency.

Passed the Senate February 21, 1967.

Passed the House March 7, 1967.

Approved by the Governor March 21, 1967.