

lessee, its agents or its employees, prohibit harvesting, for a period exceeding thirty days, during the term of the harvesting agreement. Upon termination of the lease, the lessee shall be reimbursed by the lessor for the cost paid on the lease less the value of the harvest already accomplished by the lessee on the leasehold.

(2) After the effective date of this act, all leases of state lands or harvesting agreements under this title for the purpose of harvesting geoduck clams shall require the lessee and the lessee's agent or representatives to comply with all applicable commercial diving safety standards and regulations promulgated and implemented by the federal occupational safety and health administration established under the federal occupational safety and health act of 1970 as such law exists on the effect date of this act (84 stat. 1590 et seq.; 29 U.S.C. sec. 651 et seq.): **PROVIDED**, That for the purposes of this section and RCW 75.24.100 as now or hereafter amended all persons who dive for geoducks are deemed to be employees as defined by the federal occupational safety and health act. All leases shall provide that failure to comply with these standards is cause for suspension or cancellation of the lease: **PROVIDED FURTHER**, That for the purposes of this subsection if the lessee is the holder of a tract license and contracts with another entity for the harvesting of geoducks, the lease shall not be suspended or canceled if the lessee terminates its business relationship with such entity until compliance with the subsection is secured.

NEW SECTION. Sec. 9. This 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.

Passed the House April 25, 1979.
 Passed the Senate April 24, 1979.
 Approved by the Governor May 8, 1979.
 Filed in Office of Secretary of State May 8, 1979.

CHAPTER 142

[House Bill No. 860]

CITIES AND TOWNS—ANNEXATION—PROTECTION OF AGRICULTURAL LANDS—PAYMENT/SERVICE VALUE RELATIONSHIP

AN ACT Relating to decisions of boundary review boards; amending section 17, chapter 189, Laws of 1967 and RCW 36.93.170; and amending section 18, chapter 189, Laws of 1967 and RCW 36.93.180.

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

Section 1. Section 17, chapter 189, Laws of 1967 and RCW 36.93.170 are each amended to read as follows:

In reaching a decision on a proposal or an alternative, the board shall consider the factors affecting such proposal, which shall include, but not be limited to the following:

(1) Population and territory; population density; land area and land uses; comprehensive use plans and zoning; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence of prime agricultural soils and agricultural uses; the likelihood of significant growth in the area and in adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities.

(2) Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units.

(3) The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests, and on the local governmental structure of the county.

Sec. 2. Section 18, chapter 189, Laws of 1967 and RCW 36.93.180 are each amended to read as follows:

The decisions of the boundary review board shall attempt to achieve the following objectives:

- (1) Preservation of natural neighborhoods and communities;
- (2) Use of physical boundaries, including but not limited to bodies of water, highways, and land contours;
- (3) Creation and preservation of logical service areas;
- (4) Prevention of abnormally irregular boundaries;
- (5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas;
- (6) Dissolution of inactive special purpose districts;
- (7) Adjustment of impractical boundaries; ~~((and))~~
- (8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character; and
- (9) Protection of agricultural lands.
- (10) Provide reasonable assurance that the extension of municipal services and the additional payments to be made by the property owners of the area to be annexed in the form of taxes bear a reasonable relation to the value of the additional municipal services to be received. This objective shall

apply only to cities with a population of 400,000 or more which initiates a resolution for annexation proceedings.

Passed the House April 24, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor May 8, 1979.

Filed in Office of Secretary of State May 8, 1979.

CHAPTER 143

[House Bill No. 933]

PUBLIC HOSPITAL DISTRICTS—ANNEXATION—MORTGAGES

AN ACT Relating to public hospital districts; amending section 4, chapter 267, Laws of 1953 and RCW 70.44.200; amending section 1, chapter 264, Laws of 1945 as amended by section 1, chapter 165, Laws of 1974 ex. sess. and RCW 70.44.005; creating a new section; and amending section 6, chapter 264, Laws of 1945 as last amended by section 1, chapter 211, Laws of 1977 ex. sess. and RCW 70.44.060.

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

Section 1. Section 4, chapter 267, Laws of 1953 and RCW 70.44.200 are each amended to read as follows:

(1) A public hospital district may annex territory outside the existing boundaries of such district and contiguous thereto, whether the territory ((therein)) lies in one or more counties, ((under the procedure applicable to annexation of unincorporated areas as provided in chapter 35.12 RCW)) in accordance with this section.

(2) A petition for annexation of territory contiguous to a public hospital district may be filed with the commission of the district to which annexation is proposed. The petition must be signed by the owners, as prescribed by RCW 35A.01.040(9) (a) through (e), of not less than sixty percent of the area of land within the territory proposed to be annexed. Such petition shall describe the boundaries of the territory proposed to be annexed and shall be accompanied by a map which outlines the boundaries of such territory.

(3) Whenever such a petition for annexation is filed with the commission of a public hospital district, the commission may entertain the same, fix a date for public hearing thereon, and cause notice of the hearing to be published once a week for at least two consecutive weeks in a newspaper of general circulation within the territory proposed to be annexed. The notice shall also be posted in three public places within the territory proposed to be annexed, shall contain a description of the boundaries of such territory, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation.

(4) Following the hearing, if the commission of the district determines to accomplish the annexation, it shall do so by resolution. The resolution may annex all or any portion of the proposed territory but may not include in the annexation any property not described in the petition. Upon passage