

CHAPTER 213.

[S. B. 136.]

METROPOLITAN MUNICIPAL CORPORATIONS.

AN ACT relating to municipal corporations, providing for the creation and operation of metropolitan municipal corporations to provide and coordinate certain specified public services and functions for prescribed geographic areas including two or more cities and towns and all or part of one or more counties.

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

Declaration of policy and purpose.

SECTION 1. It is hereby declared to be the public policy of the state of Washington to provide for the people of the populous metropolitan areas in the state the means of obtaining essential services not adequately provided by existing agencies of local government. The growth of urban population and the movement of people into suburban areas has created problems of sewage and garbage disposal, water supply, transportation, planning, parks and parkways which extend beyond the boundaries of cities, counties and special districts. For reasons of topography, location and movement of population, and land conditions and development, one or more of these problems cannot be adequately met by the individual cities, counties and districts of many metropolitan areas.

It is the purpose of this act to enable cities and counties to act jointly to meet these common problems in order that the proper growth and development of the metropolitan areas of the state may be assured and the health and welfare of the people residing therein may be secured.

Definitions. "Metropolitan municipal corporation."

SEC. 2. As used herein:

(1) "Metropolitan municipal corporation" means a municipal corporation of the state of Washington created pursuant to this act.

- (2) "Metropolitan area" means the area contained within the boundaries of a metropolitan municipal corporation, or within the boundaries of an area proposed to be organized as such a corporation. **Definitions. "Metropolitan area."**
- (3) "City" means an incorporated city or town. **"City."**
- (4) "Component city" means an incorporated city or town within a metropolitan area. **"Component city."**
- (5) "Component county" means a county, all or part of which is included within a metropolitan area. **"Component county."**
- (6) "Central city" means the city with the largest population in a metropolitan area. **"Central city."**
- (7) "Central county" means the county containing the city with the largest population in a metropolitan area. **"Central county."**
- (8) "Special district" means any municipal corporation of the state of Washington other than a city, county, or metropolitan municipal corporation. **"Special district."**
- (9) "Metropolitan council" means the legislative body of a metropolitan municipal corporation. **"Metropolitan council."**
- (10) "City council" means the legislative body of any city or town. **"City council."**
- (11) "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made under the direction of the state census board. **"Population."**
- (12) "Metropolitan function" means any of the functions of government named in section 5 of this act. **"Metropolitan function."**
- (13) "Authorized metropolitan function" means a metropolitan function which a metropolitan municipal corporation shall have been authorized to perform in the manner provided in this act. **"Authorized metropolitan function."**
- SEC. 3. Any area of the state containing two or more cities, at least one of which is a city of the first class, may organize as a metropolitan municipal **Metropolitan municipal corporations. Authorized.**

corporation for the performance of certain functions, as provided in this act.

Metropolitan municipal corporations. Territory included, excluded.

SEC. 4. 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. No territory shall be included within the boundaries of more than one metropolitan municipal corporation.

Functions authorized.

SEC. 5. A metropolitan municipal corporation shall have the power to perform any one or more of the following functions, when authorized in the manner provided in this act:

- (1) Metropolitan sewage disposal.
- (2) Metropolitan water supply.
- (3) Metropolitan public transportation.
- (4) Metropolitan garbage disposal.
- (5) Metropolitan parks and parkways.
- (6) Metropolitan comprehensive planning.

Unauthorized functions to be performed under other law.

SEC. 6. All functions of local government which are not authorized as provided in this act to be performed by a metropolitan municipal corporation, shall continue to be performed by the counties, cities and special districts within the metropolitan area as provided by law.

Resolution, petition for election—Requirements, procedure.

SEC. 7. A metropolitan municipal corporation may be created by vote of the qualified electors residing in a metropolitan area in the manner provided in this act. An election to authorize the creation of a metropolitan municipal corporation may be called pursuant to resolution or petition in the following manner:

- (1) A resolution or concurring resolutions calling for such an election may be adopted by either:
 - (a) The city council of a central city; or
 - (b) The city councils of two or more component cities other than a central city; or

(c) The board of commissioners of a central county.

A certified copy of such resolution or certified copies of such concurring resolutions shall be transmitted to the board of commissioners of the central county.

(2) A petition calling for such an election shall be signed by at least four percent of the qualified 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 describe the boundaries of the proposed metropolitan area, name the metropolitan function or functions which the metropolitan municipal corporation shall be authorized to perform initially and state that the formation of the metropolitan municipal corporation will be conducive to the welfare and benefit of the persons and property within the metropolitan area. After the filing of a first sufficient petition or resolution with such county auditor or board of county commissioners respectively, action by such auditor or board shall be deferred on any subsequent petition or resolution until after the election has been held pursuant to such first petition or resolution.

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 component county and each component city. 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 board of commissioners of the central county, together with his certificate as to the sufficiency thereof: *Provided*, That such resolution or resolutions shall be approved by appropriate affirmative resolution of

Resolution,
petition for
election—
Requirements,
procedure.

Vetoed.

Vetoed.

the board of county commissioners of each county, the area of which is affected by said resolution or resolutions.

Metropolitan municipal corporations. Hearings on petition, resolution—Inclusion, exclusion of territory—Boundaries—Calling election.

SEC. 8. Upon receipt of a duly certified petition or a valid resolution calling for an election on the formation of a metropolitan municipal corporation, the board of commissioners of the central county shall fix a date for a public hearing thereon which shall be not more than sixty nor less than forty days following the receipt of such resolution or petition. Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the metropolitan area. The notice shall contain a description of the boundaries of the proposed metropolitan area, shall name the initial metropolitan function or functions and shall state the time and place of the hearing and the fact that any changes in the boundaries of the metropolitan area will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the effect of the formation of the proposed municipal metropolitan corporation. The commissioners may make such changes in the boundaries of the metropolitan area as they shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands, may not delete a portion of any city, and may not delete any portion of the proposed area which is contributing or may reasonably be expected to contribute to the pollution of any water course or body of water in the proposed area when the petition or resolution names metropolitan sewage disposal as a function to be performed by the proposed metropolitan municipal corporation. If the commissioners shall determine that any additional territory should

be included in the metropolitan area, a second hearing shall be held and notice given in the same manner as for the original hearing. The commissioners may adjourn the hearing on the formation of a metropolitan municipal corporation from time to time not exceeding thirty days in all. At the next regular meeting following the conclusion of such hearing the commissioners shall adopt a resolution fixing the boundaries of the proposed metropolitan municipal corporation, declaring that the formation of the proposed metropolitan municipal corporation will be conducive to the welfare and benefit of the persons and property therein and calling a special election on the formation of the metropolitan municipal corporation to be held not more than one hundred twenty days nor less than sixty days following the adoption of such resolution.

Hearings on petition, resolution—Inclusion, exclusion of territory—Boundaries—Calling election.

SEC. 9. The election on the formation of the metropolitan municipal corporation shall be conducted by the auditor of the central county in accordance with the general election laws of the state and the results thereof shall be canvassed by the county canvassing board of the central county, which shall certify the result of the election to the board of county commissioners of the central county, and shall cause a certified copy of such canvass to be filed in the office of the secretary of state. Notice of the election shall be published in one or more newspapers of general circulation in each component county in the manner provided in the general election laws. No person shall be entitled to vote at such election unless he is a qualified voter under the laws of the state in effect at the time of such election and has resided within the metropolitan area for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

Election procedure to form corporation and levy tax—Qualified voters—Establishment of corporation—First meeting of council.

Metropolitan
municipal
corporations.
Election pro-
cedure to
form corpo-
ration and
levy tax—
Qualified
voters—
Establishment
of corpora-
tion—First
meeting of
council.

“FORMATION OF METROPOLITAN
MUNICIPAL CORPORATION

“Shall a metropolitan municipal corpora-
tion be established for the area described in
a resolution of the board of commissioners
of county adopted on the
..... day of, 19....., to per-
form the metropolitan functions of.....
..... (here insert the title of each of
the functions to be authorized as set forth
in the petition or initial resolution).

YES
NO ”

If a majority of the persons voting on the proposi-
tion residing within the central city shall vote in
favor thereof and a majority of the persons voting
on the proposition residing in the metropolitan area
outside of the central city shall vote in favor thereof,
the metropolitan municipal corporation shall there-
upon be established and the board of commissioners
of the central county shall adopt a resolution setting
a time and place for the first meeting of the metro-
politan council which shall be held not later than
thirty days after the date of such election. A copy
of such resolution shall be transmitted to the legis-
lative body of each component city and county and
of each special district which shall be affected by
the particular metropolitan functions authorized.

At the same election there shall be submitted to
the voters residing within the metropolitan area, for
their approval or rejection, a proposition authoriz-
ing the metropolitan municipal corporation, if
formed, to levy at the earliest time permitted by
law on all taxable property located within the met-
ropolitan municipal corporation a general tax, for
one year, of one mill in excess of any constitutional
or statutory limitation for authorized purposes of
the metropolitan municipal corporation. The pro-

position shall be expressed on the ballots in substantially the following form:

“ONE YEAR ONE MILL LEVY

“Shall the metropolitan municipal corporation, if formed, levy a general tax of one mill for one year upon all the taxable property within said corporation in excess of the forty mill tax limit for authorized purposes of the corporation?

YES
NO ”

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area of the proposed metropolitan municipal corporation at the last preceding county or state general election.

SEC. 10. A metropolitan municipal corporation may be authorized to perform one or more metropolitan functions in addition to those which it has previously been authorized to perform, with the approval of the voters at an election, in the manner provided in this section.

Additional functions—
Authorization by election—
Procedure.

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 two or more component cities other than a central city; or
 - (c) The board of commissioners of the central county.

Metropolitan
municipal
corporations.
Additional
functions—
Authorization
by election—
Procedure.

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 authorization of the performance of one or more additional metropolitan functions, the metropolitan council shall call 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 act 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. 11. A metropolitan municipal corporation may be authorized to perform one or more metropolitan functions in addition to those which it previously has been authorized to perform, without an election, in the manner provided in this section. A resolution providing for the performance of such additional metropolitan function or functions shall be adopted by the metropolitan council. A copy of such resolution shall be transmitted by registered mail to the legislative body of each component city and county. If, within ninety days after the date of such mailing, a concurring resolution is adopted by the legislative body of each component county, of each component city of the first class, and of at least two-thirds of all other component cities, and such concurring resolutions are transmitted to the metropolitan council, such council shall by resolution declare that the metropolitan municipal corporation has been authorized to perform such additional metropolitan function or functions. A copy of such resolution shall be transmitted by registered mail to the legislative body of each component city and county and of each special district which will be affected by the particular additional metropolitan function authorized.

Additional functions—
 Authorization without election.

SEC. 12. A metropolitan municipal corporation shall be governed by a metropolitan council composed of the following:

Metropolitan council.

Metropolitan
municipal
corporations.
Council.
Composition
—Chairman.

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

(2) One additional member selected by the board of commissioners of each component county for each county commissioner district containing twenty thousand or more persons residing in the unincorporated portion of such commissioner district lying within the metropolitan municipal corporation who shall be a resident of such unincorporated portion: *Provided*, That one additional member shall be selected by and from, the board of county commissioners for each county commissioner district containing less than twenty thousand persons in its unincorporated area.

(3) One member who shall be the mayor of the central city.

(4) One member from each of the three largest component cities containing a population of ten thousand or more other than the central city, selected by, and from, the mayor and city council of each of such cities.

(5) One member representing all component cities other than the four largest cities with a population of ten thousand or more, to be selected from the mayors and city councils of such smaller cities by the mayors of such 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.

(6) One member selected by, and from, the city council of the central city.

(7) One member selected by, and from, the city council of each component city containing a population of fifty thousand or more.

Council.
Composition
—Chairman.

(8) One additional member selected by and from the city council of each component city containing a population of one hundred thousand or more.

(9) One additional member selected by, and from, the city council of each component city containing a population of one hundred thousand or more for each one hundred thousand population over and above the first one hundred thousand.

(10) 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 other than that of notary public or member of the military forces of the United States or of the state of Washington not on active duty.

SEC. 13. At the first meeting of the metropolitan council following the formation of a metropolitan municipal corporation, the mayor of the central city shall serve as temporary chairman. As its first official act the council shall elect a chairman. The chairman shall be a voting member of the council and shall preside at all meetings. In the event of his absence or inability to act the council shall select one of its members to act as chairman pro tempore. A majority of all members of the council shall constitute a quorum for the transaction of business. A smaller number of council members than a quorum may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as the council may provide. The council shall determine its own rules and order of business, shall provide by resolution for the manner and time of holding all regular and special meetings and shall keep a journal of its proceedings which shall be a public record. Every legislative act

Organization,
chairman,
procedures.

of the council of a general or permanent nature shall be by resolution.

Metropolitan
municipal
corporations.
Council.
Terms.

SEC. 14. Each member of a metropolitan council except those selected under the provisions of section 12 (3), (5) and (10), 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 act.

Vacancies.

SEC. 15. 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 section 12 (5) 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 section 12 (5).

Compensation.

SEC. 16. The chairman of the metropolitan council shall receive such compensation as the other members of the metropolitan council shall provide. Members of the council other than the chairman shall receive compensation for attendance at metropolitan council or committee meetings of twenty-five dollars per diem but not exceeding a total of two hundred dollars in any one month, in addition to any compensation which they may receive as officers of component cities or counties: *Provided*, That elected public officers serving in such capacities on a full time basis shall not receive compensation for attendance at metropolitan, council or committee meetings. All members of the council shall be reim-

bursed for expenses actually incurred by them in the conduct of official business for the metropolitan municipal corporation.

SEC. 17. The name of a metropolitan municipal corporation shall be established by its metropolitan council. Each metropolitan municipal corporation shall adopt a corporate seal containing the name of the corporation and the date of its formation.

Metropolitan municipal corporations. Name and seal.

SEC. 18. In addition to the powers specifically granted by this act 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 for the operation by such entity of any facility or the performance of 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.

General power of corporation.

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

SEC. 19. The metropolitan council shall provide by resolution the effective date on which the metropolitan municipal corporation will commence to perform any one or more of the metropolitan functions which it shall have been authorized to perform.

Performance of functions, commencement date.

SEC. 20. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan sewage disposal, it shall have the following powers in addition to the general powers granted by this act:

Powers relative to sewage disposal.

- (1) To prepare a comprehensive sewage disposal

Metropolitan
municipal
corporations.
Powers rela-
tive to
sewage
disposal.

and storm water drainage plan for the metropolitan area.

(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 facilities for sewage disposal and storm water drainage within or without the metropolitan area, including trunk, interceptor and outfall sewers, whether used to carry sanitary waste, storm water, or combined storm and sanitary sewage, lift and pumping stations, sewage treatment plants, together with all lands, properties, equipment and accessories necessary for such facilities. Sewer facilities which are owned by a city or special district may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or special districts owning such facilities. Cities and special districts are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or special district and the metropolitan council, without submitting the matter to the voters of such city or district.

(3) To require counties, cities, special districts and other political subdivisions to discharge sewage collected by such entities from any portion of the metropolitan area into such metropolitan facilities as may be provided to serve such areas when the metropolitan council shall declare by resolution that the health, safety, or welfare of the people within the metropolitan area requires such action.

(4) To fix rates and charges for the use of metropolitan sewage disposal and storm water drainage facilities.

(5) To establish minimum standards for the construction of local sewer facilities and to approve

plans for construction of such facilities by component counties or cities or by special districts wholly or partly within the metropolitan area. No such county, city, or special district shall construct such facilities without first securing such approval.

Powers relative to sewage disposal.

(6) To acquire by purchase, condemnation, gift, or grant, to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local collection of sewage or storm water in portions of the metropolitan area not contained within any city or sewer district and, with the consent of the legislative body of any city or sewer district, to exercise such powers within such city or sewer district and for such purpose to have all the powers conferred by law upon such city or sewer district with respect to such local collection facilities. All costs of such local collection facilities shall be paid for by the area served thereby.

SEC. 21. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan sewage disposal, the metropolitan council shall, prior to the effective date of the assumption of such function, cause a metropolitan sewer advisory committee to be formed by notifying the legislative body of each component city which operates a sewer system to appoint one person to serve on such advisory committee and the board of commissioners of each sewer district, any portion of which lies within the metropolitan area, to appoint one person to serve on such committee who shall be a sewer district commissioner. The metropolitan sewer advisory committee shall meet at the time and place provided in the notice and elect a chairman. The members of such committee shall serve at the pleasure of the appointing bodies and shall receive no compensation other than reimbursement for expenses actually incurred in the performance of their duties. The function of such advisory committee shall be to

Metropolitan sewer advisory committee.

advise the metropolitan council in matters relating to the performance of the sewage disposal function.

Metropolitan
municipal
corporations.
Powers
relative to
water supply.

SEC. 22. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan water supply, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare a comprehensive plan for the development of sources of water supply, trunk supply mains and water treatment and storage facilities for the metropolitan area.

(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 facilities for water supply within or without the metropolitan area, including buildings, structures, water sheds, wells, springs, dams, settling basins, intakes, treatment plants, trunk supply mains and pumping stations, together with all lands, property, equipment and accessories necessary to enable the metropolitan municipal corporation to obtain and develop sources of water supply. treat and store water and deliver water through trunk supply mains. Water supply facilities which are owned by a city or special district may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or special district owning such facilities. Cities and special districts are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or special district and the metropolitan council, without submitting the matter to the voters of such city or district.

(3) To fix rates and charges for water supplied by the metropolitan municipal corporation.

(4) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local distribution of water in portions of the metropolitan area not contained within any city or water district and, with the consent of the legislative body of any city or water district, to exercise such powers within such city or water district and for such purpose to have all the powers conferred by law upon such city or water district with respect to such local distribution facilities. All costs of such local distribution facilities shall be paid for by the area served thereby.

Powers
relative to
water supply.

SEC. 23. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan water supply, the metropolitan council shall, prior to the effective date of the assumption of such function, cause a metropolitan water advisory committee to be formed by notifying the legislative body of each component city which operates a water system to appoint one person to serve on such advisory committee and the board of commissioners of each water district, any portion of which lies within the metropolitan area, to appoint one person to serve on such committee who shall be a water district commissioner. The metropolitan water advisory committee shall meet at the time and place provided in the notice and elect a chairman. The members of such committee shall serve at the pleasure of the appointing bodies and shall receive no compensation other than reimbursement for expenses actually incurred in the performance of their duties. The function of such advisory committee shall be to advise the metropolitan council with respect to matters relating to the performance of the water supply function.

Metropolitan
water
advisory
committee.

SEC. 24. If a metropolitan municipal corporation shall be authorized to perform the function of metro-

Powers
relative to
transportation.

Metropolitan
municipal
corporations.
Powers
relative to
transportation.

politan transportation, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare and develop a comprehensive plan for public transportation service which will best serve the residents of the metropolitan area.

(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 within or without the metropolitan area, including systems of surface, underground or overhead railways, tramways, busses, or any other means of local transportation except taxis, and including passenger terminal and parking facilities, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities. Public transportation facilities 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 municipal 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.

Other local
public pas-
senger trans-
portation
service pro-
hibited—
Agreements
—Purchase—
Condemna-
tion.

SEC. 25. Except in accordance with an agreement made as provided herein, upon the effective date on which the metropolitan municipal corporation commences to perform the metropolitan transportation function, no person or private corporation shall operate a local public passenger transportation service within the metropolitan area with the exception of taxis, busses owned or operated by a school district or private school, and busses owned or operated

by any corporation or organization solely for the purposes of the corporation or organization and for the use of which no fee or fare is charged.

An agreement may be entered into between the metropolitan municipal corporation and any person or corporation legally operating a local public passenger transportation service wholly within or partly within and partly without the metropolitan area and on said effective date under which such person or corporation may continue to operate such service or any part thereof for such time and upon such terms and conditions as provided in such agreement. Where any such local public passenger transportation service will be required to cease to operate within the metropolitan area, the commission may agree with the owner of such service to purchase the assets used in providing such service, or if no agreement can be reached, the commission shall condemn such assets in the manner provided herein for the condemnation of other properties.

Agreements—
Purchase—
Condemnation.

Wherever a privately owned public carrier operates wholly or partly within a metropolitan municipal corporation, the Washington Public Service Commission shall continue to exercise jurisdiction over such operation as provided by law.

SEC. 26. If a metropolitan municipal corporation shall be authorized to perform the metropolitan transportation function, it shall, upon the effective date of the assumption of such power, have and exercise all rights with respect to the construction, acquisition, maintenance, operation, extension, alteration, repair, control and management of passenger transportation which any component city shall have been previously empowered to exercise and such powers shall not thereafter be exercised by such component cities without the consent of the metropolitan municipal corporation: *Provided*, That any city owning and operating a public transportation

Transportation function
—Acquisition
of city
system.

system on such effective date may continue to operate such system within such city until such system shall have been acquired by the metropolitan municipal corporation and a metropolitan municipal corporation may not acquire such system without the consent of the city council of such city.

Metropolitan
municipal
corporations.
Metropolitan
transit
commission.

SEC. 27. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan transportation, 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 which the commission may deem desirable, to fix tolls and fares, so that the revenue of the system shall be sufficient to meet all operating transportation costs but not necessarily sufficient to meet the cost of construction or acquisition of new facilities and depreciation of facilities, unless the commission shall elect to do so.

The metropolitan transit commission shall authorize expenditures for transportation purposes within the budget adopted 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 act.

The metropolitan transit commission shall consist of five members appointed by the metropolitan council. Three 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 and five years, respectively. Thereafter, commissioners shall serve for a term of four years. Compensation of transit commissioners shall be determined by the metropolitan council.

SEC. 28. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan garbage disposal, it shall have the following powers in addition to the general powers granted by this act:

Powers
relative to
garbage
disposal.

(1) To prepare a comprehensive garbage disposal plan for the metropolitan area.

(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 facilities for garbage disposal within or without the metropolitan area, including garbage disposal sites, central collection station sites, structures, machinery and equipment for the operation of central collection stations and for the hauling and disposal of garbage by any means, together with all lands, property, equipment and accessories necessary for such facilities. Garbage disposal facilities which are owned by a city or county may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or county owning such facilities. Cities and counties are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or county and the metropolitan council, without submitting the matter to the voters of such city or county.

(3) To fix rates and charges for the use of metropolitan garbage disposal facilities.

(4) With the consent of any component city,

Metropolitan
municipal
corporations.
Power
relative to
garbage
disposal.

to acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local collection of garbage within such city, and for such purpose to have all the powers conferred by law upon such city with respect to such local collection facilities. Nothing herein contained shall be deemed to authorize the local collection of garbage except in component cities. All costs of such local collection facilities shall be paid for by the area served thereby.

Powers
relative to
parks and
parkways.

SEC. 29. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan parks and parkways, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare a comprehensive plan of metropolitan parks and parkways.

(2) To acquire by purchase, condemnation, gift or grant, to lease, construct, add to, improve, develop, replace, repair, maintain, operate and regulate the use of metropolitan parks and parkways, together with all lands, rights of way, property, equipment and accessories necessary therefor. A park or parkway shall be considered to be a metropolitan facility if the metropolitan council shall by resolution find it to be of use and benefit to all or a major portion of the residents of the metropolitan area. Parks or parkways which are owned by a component city or county may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of such city or county. Cities and counties are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative bodies of such city or county and the metropolitan council, without submitting the

matter to the voters of such city or county. If parks or parkways which have been acquired or used as metropolitan facilities shall no longer be used for park purposes by the metropolitan municipal corporation, such facilities shall revert to the component city or county which formerly owned them.

(3) To fix fees and charges for the use of metropolitan park and parkway facilities.

SEC. 30. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan parks and parkways, a metropolitan park board shall be formed prior to the effective date of the assumption of such function. Except as provided in this section, the metropolitan park board shall exercise all powers of the metropolitan municipal corporation with respect to metropolitan park and parkway facilities.

Metropolitan
park board.

The metropolitan park board shall authorize expenditures for park and parkway purposes within the budget adopted by the metropolitan council. Bonds of the metropolitan municipal corporation for park and parkway purposes shall be issued by the metropolitan council as provided in this act.

The metropolitan park board shall consist of five members appointed by the metropolitan council at least two of whom shall be residents of the central city. The terms of first appointees shall be for one, two, three, four and five years, respectively. Thereafter members shall serve for a term of four years. Compensation of park board members shall be determined by the metropolitan council.

SEC. 31. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan comprehensive planning, it shall have the following powers in addition to the general powers granted by this act:

Powers
relative to
planning.

(1) To prepare a recommended comprehensive

Metropolitan
municipal
corporations.
Powers
relative to
planning.

land use and capital facilities plan for the metropolitan area.

(2) To review proposed zoning ordinances and resolutions or comprehensive plans of component cities and counties and make recommendations thereon. Such proposed zoning ordinances and resolutions or comprehensive plans must be submitted to the metropolitan council prior to adoption and may not be adopted until reviewed and returned by the metropolitan council. The metropolitan council shall cause such ordinances, resolutions and plans to be reviewed by the planning staff of the metropolitan municipal corporation and return such ordinances, resolutions and plans, together with their findings and recommendations thereon within sixty days following their submission.

(3) To provide planning services for component cities and counties upon request and upon payment therefor by the cities or counties receiving such service.

Eminent
domain.

SEC. 32. A metropolitan municipal corporation shall have power to acquire by purchase and condemnation all lands and property rights, both within and without the metropolitan area, which are necessary for its purposes. Such right of eminent domain shall be exercised by the metropolitan council in the same manner and by the same procedure as is or may be provided by law for cities of the first class, except insofar as such laws may be inconsistent with the provisions of this act.

Powers exer-
cised with
relation to
public rights
of way
without
franchise—
Conditions.

SEC. 33. A metropolitan municipal corporation shall have power to construct or maintain metropolitan facilities in, along, on, under, over, or through public streets, bridges, viaducts, and other public rights of way without first obtaining a franchise from the county or city having jurisdiction over the same: *Provided*, That such facilities shall be constructed and maintained in accordance with the ordinances

Proviso.

and resolutions of such city or county relating to construction, installation and maintenance of similar facilities in such public properties.

SEC. 34. Except as otherwise provided herein, a metropolitan municipal corporation may sell, or otherwise dispose of any real or personal property acquired in connection with any authorized metropolitan function and which is no longer required for the purposes of the metropolitan municipal corporation in the same manner as provided for cities of the first class. When the metropolitan council determines that a metropolitan facility or any part thereof which has been acquired from a component city or county without compensation is no longer required for metropolitan purposes, but is required as a local facility by the city or county from which it was acquired, the metropolitan council shall by resolution transfer it to such city or county.

Disposition
of unneeded
property.

SEC. 35. All the powers and functions of a metropolitan municipal corporation shall be vested in the metropolitan council unless expressly vested in specific officers, boards, or commissions by this act. Without limitation of the foregoing authority, or of other powers given it by this act, the metropolitan council shall have the following powers:

Powers of
metropolitan
council.

(1) To establish offices, departments, boards and commissions in addition to those provided by this act which are necessary to carry out the purposes of the metropolitan municipal corporation, and to prescribe the functions, powers and duties thereof.

(2) To appoint or provide for the appointment of, and to remove or to provide for the removal of, all officers and employees of the metropolitan municipal corporation except those whose appointment or removal is otherwise provided for by this act.

(3) To fix the salaries, wages and other compensation of all officers and employees of the metro-

politan municipal corporation unless the same shall be otherwise fixed in this act.

(4) To employ such engineering, legal, financial, or other specialized personnel as may be necessary to accomplish the purposes of the metropolitan municipal corporation.

Metropolitan
municipal
corporations.
Rules and
regulations—
Penalties—
Enforcement.

SEC. 36. A metropolitan municipal corporation shall have power to adopt by resolution such rules and regulations as shall be necessary or proper to enable it to carry out authorized metropolitan functions and may provide penalties for the violation thereof. Actions to impose or enforce such penalties may be brought in the superior court of the state of Washington in and for the central county.

Merit
system.

SEC. 37. The metropolitan council shall establish and provide for the operation and maintenance of a personnel merit system for the employment, classification, promotion, demotion, suspension, transfer, layoff and discharge of its appointive officers and employees solely on the basis of merit and fitness without regard to political influence or affiliation. The person appointed or body created for the purpose of administering such personnel system shall have power to make, amend and repeal rules and regulations as are deemed necessary for such merit system. Such rules and regulations shall provide:

(1) That the person to be discharged or demoted must be presented with the reasons for such discharge or demotion specifically stated; and

(2) That he shall be allowed a reasonable time in which to reply thereto in writing and that he be given a hearing thereon within a reasonable time.

Retention of
existing
personnel.

SEC. 38. A metropolitan municipal corporation shall offer to employ every person who on the date such corporation acquires a metropolitan facility is employed in the operation of such facility by a component city or county or by a special district.

SEC. 39. Where a metropolitan municipal corporation employs a person employed immediately prior thereto by a component city or county, or by a special district, such employee shall be deemed to remain an employee of such city, county, or special district for the purposes of any pension plan of such city, county, or special district, and shall continue to be entitled to all rights and benefits thereunder as if he had remained as an employee of the city, county, or special district, until the metropolitan municipal corporation has provided a pension plan and such employee has elected, in writing, to participate therein.

Prior employees pension rights preserved.

Until such election, the metropolitan municipal corporation shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the plan of such city, county, or special district and the metropolitan municipal corporation shall pay to the city, county, or special district any amounts required to be paid under the provisions of such plan by employer or employee.

SEC. 40. Where a metropolitan municipal corporation employs a person employed immediately prior thereto by a component city or county or by a special district, the employee shall be deemed to remain an employee of such city, county, or special district for the purposes of any sick leave credit plan of the component city, county, or special district until the metropolitan municipal corporation has established a sick leave credit plan for its employees, whereupon the metropolitan municipal corporation shall place to the credit of the employee the sick leave credits standing to his credit in the plan of such city, county, or special district.

Prior employees sick leave and vacation rights preserved.

Where a metropolitan municipal corporation employs a person theretofore employed by a component city, county, or by a special district, the metropolitan

municipal corporation shall, during the first year of his employment by the metropolitan municipal corporation, provide for such employee a vacation with pay equivalent to that which he would have been entitled if he had remained in the employment of the city, county, or special district.

Metropolitan
municipal
corporations.
Budget—
Expenditures
—“Supple-
mental
income”
designated.

SEC. 41. On or before the third Monday in June of each year, each metropolitan municipal corporation shall adopt a budget for the following calendar year. Such budget shall include a separate section for each authorized metropolitan function. Expenditures shall be segregated as to operation and maintenance expenses and capital and betterment outlays. Administrative and other expense general to the corporation shall be allocated between the authorized metropolitan functions. The budget shall contain an estimate of all revenues to be collected during the following budget year, including any surplus funds remaining unexpended from the preceding year. The remaining funds required to meet budget expenditures, if any, shall be designated as “supplemental income” and shall be obtained from the component cities and counties in the manner provided in this act. The metropolitan council shall not be required to confine capital or betterment expenditures made from bond proceeds or emergency expenditures to items provided in the budget. The affirmative vote of three-fourths of all members of the metropolitan council shall be required to authorize emergency expenditures.

Supplemental
income pay-
ments by
component
city and
county.

SEC. 42. Each component city shall pay such proportion of the supplemental income of the metropolitan municipal corporation as the assessed valuation of property within its limits bears to the total assessed valuation of taxable property within the metropolitan area. Each component county shall pay such proportion of such supplemental income as the assessed valuation of the property within the unin-

corporated area of such county lying within the metropolitan area bears to the total assessed valuation of taxable property within the metropolitan area. In making such determination, the metropolitan council shall use the last available assessed valuations. The metropolitan council shall certify to each component city and county, prior to the fourth Monday in June of each year, the share of the supplemental income to be paid by such component city or county for the next calendar year. The latter shall then include such amount in its budget for the ensuing calendar year, and during such year shall pay to the metropolitan municipal corporation, in equal quarterly installments, the amount of its supplemental income share from whatever sources may be available to it.

SEC. 43. The treasurer of each component county shall create a separate fund into which shall be paid all money collected from taxes levied by the metropolitan municipal corporation on property in such county and such money shall be forwarded quarterly by the treasurer of each such county to the treasurer of the central county as directed by the metropolitan council. The treasurer of the central county shall act as the treasurer of the metropolitan municipal corporation and shall establish and maintain such funds as may be authorized by the metropolitan council. Money shall be disbursed from such funds upon warrants drawn by the auditor of the central county as authorized by the metropolitan council. The central county shall be reimbursed by the metropolitan municipal corporation for services rendered by the treasurer and auditor of the central county in connection with the receipt and disbursement of such funds. The expense of all special elections held pursuant to this act shall be paid by the metropolitan municipal corporation.

Funds—Dis-
bursements—
Treasurer—
Expenses.
Election
expenses.

Metropolitan
municipal
corporations.
County asses-
sor's duties.

SEC. 44. It shall be the duty of the assessor of each component county to certify annually to the metropolitan council the aggregate assessed valuation of all taxable property in his county situated in any metropolitan municipal corporation as the same appears from the last assessment roll of his county.

General
obligation
bonds—Issu-
ance, sale,
form, term,
election,
payment.

SEC. 45. A metropolitan municipal corporation shall have power 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. 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.

General obligation bonds shall bear interest at a rate of not to exceed six percent per annum. 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. 46. 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, 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.

Revenue bonds—Issuance, sale, form, term, payment, reserves, actions.

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 act shall be negotiable instruments within the provisions of the negotiable instruments law of this state. Such revenue bonds may be registered either as to principal

Metropolitan
municipal
corporations.
Revenue
bonds—Issu-
ance, sale,
form, term,
payment,
reserves,
actions.

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 per cent 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.

Revenue
bonds—
Payment,
reserves,
actions.

The metropolitan council may include in the principal amount of any such revenue bond issue 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 acquisition 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.

SEC. 47. The metropolitan council may, by resolution, without submitting the matter to the voters of the metropolitan municipal corporation, provide for the issuance of funding or refunding general obligation bonds to refund any outstanding general obligation bonds or any part thereof at maturity, or before maturity if they are by their terms or by other agreement subject to prior redemption, with the right in the metropolitan council to combine various series and issues of the outstanding bonds by a single issue of funding or refunding bonds, and to issue refunding bonds to pay any redemption premium payable on the outstanding bonds being refunded. The funding or refunding general obligation bonds shall, except as specifically provided in this section, be issued in accordance with the provisions of this act with respect to general obligation bonds.

Funding,
refunding
bonds.

Metropolitan
municipal
corporations.
Funding,
refunding
bonds.

The metropolitan council may, by resolution, without submitting the matter to the voters of the metropolitan municipal corporation, provide for the issuance of funding or refunding revenue bonds to refund any outstanding revenue bonds or any part thereof at maturity, or before maturity if they are by their terms or by agreement subject to prior redemption, with the right in the metropolitan council to combine various series and issues of the outstanding bonds by a single issue of refunding bonds, and to issue refunding bonds to pay any redemption premium payable on the outstanding bonds being refunded. The funding or refunding revenue bonds shall be payable only out of a special fund created out of the gross revenue of the particular utility, and shall be a valid claim only as against such special fund and the amount of the revenue of the utility pledged to the fund. The funding or refunding revenue bonds shall, except as specifically provided in this section, be issued in accordance with the provisions of this act with respect to revenue bonds.

The net interest cost to maturity on funding or refunding bonds issued under this act shall not exceed seven percent per annum. The amount of premium, if any, to be paid on the redemption of such funding or refunding bonds prior to the maturity thereof shall not be considered in determining such net interest cost. The metropolitan council may exchange the funding or refunding bonds at par for the bonds which are being funded or refunded, or it may sell them in such manner as it deems for the best interest of the metropolitan municipal corporation.

Borrowing
money from
component
city or
county.

SEC. 48. A metropolitan municipal corporation shall have the power when authorized by a majority of all members of the metropolitan council to borrow money from any component city or county and such cities or counties are hereby authorized to make

such loans or advances on such terms as may be mutually agreed upon by the legislative bodies of the metropolitan municipal corporation and any such component city or county to provide funds to carry out the purposes of the metropolitan municipal corporation.

SEC. 49. If a metropolitan municipal corporation shall have been authorized to levy a general tax on all taxable property located within the metropolitan municipal corporation in the manner provided in this act, either at the time of the formation of the metropolitan municipal corporation or subsequently, the metropolitan council shall have the power to authorize the issuance of interest bearing warrants on such terms and conditions as the metropolitan council shall provide, same to be repaid from the proceeds of such tax when collected.

Interest
bearing
warrants.

SEC. 50. The metropolitan municipal corporation shall have the power to levy special assessments payable over a period of not exceeding twenty years on all property within the metropolitan area specially benefited by any improvement, on the basis of special benefits conferred, to pay in whole, or in part, the damages or costs of any such improvement, and for such purpose may establish local improvement districts and enlarged local improvement districts, issue local improvement warrants and bonds to be repaid by the collection of local improvement assessments and generally to exercise with respect to any improvements which it may be authorized to construct or acquire the same powers as may now or hereafter be conferred by law upon cities of the first class. Such local improvement districts shall be created and such special assessments levied and collected and local improvement warrants and bonds issued and sold in the same manner as shall now or hereafter be provided by law for cities of the first class. The duties imposed upon the city trea-

Local
improvement
districts—
Utility local
improvement
districts.

Metropolitan municipal corporations. Local improvement districts—Utility local improvement districts.

sureur under such acts shall be imposed upon the treasurer of the county in which such local improvement district shall be located.

A metropolitan municipal corporation may provide that special benefit assessments levied in any local improvement district may be paid into such revenue bond redemption fund or funds as may be designated by the metropolitan council to secure the payment of revenue bonds issued to provide funds to pay the cost of improvements for which such assessments were levied. If local improvement district assessments shall be levied for payment into a revenue bond fund, the local improvement district created therefor shall be designated a utility local improvement district.

Obligations of corporation are legal investments and security for public deposits.

SEC. 51. All banks, trust companies, bankers, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking or investment business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, curators, trustees and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by a metropolitan municipal corporation pursuant to this act. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

SEC. 52. A metropolitan municipal corporation shall have the power to invest its funds held in reserves or sinking funds or any such funds which are not required for immediate disbursement, in property or securities in which mutual savings banks may legally invest funds subject to their control.

Legal invest-
ments for cor-
porate funds.

SEC. 53. Territory annexed to a component city after the establishment of a metropolitan municipal corporation shall by such act be annexed to such corporation. 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 act. An election to annex such territory may be called pursuant to a petition or resolution in the following manner:

Annexation—
Requirements,
procedure.

(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.

Metropolitan
municipal
corporations.
Annexation.
Hearings—
Inclusion,
exclusion of
territory—
Boundaries—
Calling
election.

SEC. 54. Upon receipt of a duly certified petition calling for an election on the annexation of territory to a metropolitan municipal corporation, or if the metropolitan council shall determine without a petition being filed, that an election on the annexation of any adjacent territory shall be held, the metropolitan council shall fix a date for a public hearing thereon which shall be not more than sixty nor less than forty days following the receipt of such petition or adoption of such resolution. Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the territory proposed to be annexed. The notice shall contain a description of the boundaries of the territory proposed to be annexed and shall state the time and place of the hearing thereon and the fact that any changes in the boundaries of such territory will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the proposed annexation. The metropolitan council may make such changes in the boundaries of the territory proposed to be annexed as it shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands and may not delete a portion of any city. If the metropolitan council shall determine that any additional territory should be included in the territory to be annexed, a second hearing shall be held and notice given in the same manner as for the

original hearing. The metropolitan council may adjourn the hearing on the proposed annexation from time to time not exceeding thirty days in all. At the next regular meeting following the conclusion of such hearing, the metropolitan council shall, if it finds that the annexation of such territory will be conducive to the welfare and benefit of the persons and property therein and the welfare and benefit of the persons and property within the metropolitan municipal corporation, adopt a resolution fixing the boundaries of the territory to be annexed and calling a special election on such annexation to be held not more than one hundred twenty days nor less than sixty days following the adoption of such resolution.

Annexation. Boundaries— Calling election.

SEC. 55. An election on the annexation of territory to a metropolitan municipal corporation shall be conducted and canvassed in the same manner as provided for the conduct of an election on the formation of a metropolitan municipal corporation except that notice of such election shall be published in one or more newspapers of general circulation in the territory proposed to be annexed and the ballot proposition shall be in substantially the following form:

Annexation. Election— Favorable vote.

ANNEXATION TO (here insert name of metropolitan municipal corporation).

“Shall the territory described in a resolution of the metropolitan council of (here insert name of metropolitan municipal corporation) adopted on theday of....., 19....., be annexed to such incorporation?

YES

NO

If a majority of those voting on such proposition vote in favor thereof, the territory shall thereupon be annexed to the metropolitan municipal corporation.

Metropolitan
municipal
corporations.
Liberal
construction.

SEC. 56. The rule of strict construction shall have no application to this act, but the same shall be liberally constructed in all respects in order to carry out the purposes and objects for which this act is intended.

Severability.

SEC. 57. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Vetoed.

SEC. 58. The provisions of this act shall apply only to class AA counties and areas immediately adjacent thereto. Notwithstanding any other provision of this act, before a metropolitan district shall have the power to perform any of the functions in section 5, subsections (2) through (6), such adjacent areas shall first approve the exercise of such power or powers by a majority vote of the electorate residing therein. If the electorate of such area fail to approve the exercise of such power or powers then the members of the metropolitan council representing such area shall not function in the exercise of such powers by the council.

Passed the Senate March 12, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957, with the exception of the last unnumbered item of subsection 2 of section 7, and section 58, which are vetoed.

Veto message,
excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"Senate Bill 136 provides for a comprehensive metropolitan municipal corporation designed to allow cities and counties to act jointly in providing essential public services such as sewage disposal, water, garbage, park and transportation. One of its principal purposes is to coordinate the sewage disposal functions of the various municipalities and sewer districts serving the Lake Washington drainage area. This area is located in more than one county, the major portion of which, however, is in the county of King. The last unnumbered item in section 7, subsection (2) reading as follows: "Provided, That such resolution or resolutions shall be approved by appropriate affirmative resolution of the board of county commissioners of each county, the area of which is affected by said resolution or resolutions" was inserted as an amendment to the bill and apparently was designed to permit the county commissioners of a component county to determine whether or not their county should become part of the metropolitan municipal corporation. However, the proviso is so broad that it, in effect, would permit the county commissioners of a

component county to veto all operations of the metropolitan municipal corporation in the central county and central city. This would have the effect of permitting the county commissioners representing a small portion of the entire metropolitan municipal corporation to control the activities of the entire corporation.

"For the foregoing reason this item is vetoed.

"Section 58 of Senate Bill 136 is likewise an amendment to the bill. It confines the provisions of the act to class AA counties and areas immediately adjacent thereto. It provides that before a metropolitan district shall have the power to perform any of the functions in section 5, subsection (2) through (6), that the electorate in such adjacent areas shall first approve the exercise of such power or powers.

"It was apparently the intent of this section to give the electorate in the adjacent areas the right to determine whether or not such areas should be included in the metropolitan municipal corporation when such powers were to be exercised. However, the wording of section 58 is so broad that it would thwart operation of the metropolitan municipal corporation in its desire to exercise the functions set forth in subsections (2) through (6) of section 5 in the central city and central county.

"For this reason section 58 is vetoed. The remainder of the bill is approved."

Veto message, excerpt from.

CHAPTER 214.

[S. B. 173.]

MATERIALMEN'S LIENS.

AN ACT relating to materialmen's liens; prescribing time and manner of giving notice of lien to property owners; and amending section 1, chapter 77, Laws of 1911 and RCW 60.04.020.

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

Section 1. Section 1, chapter 77, Laws of 1911 and RCW 60.04.020 are each hereby amended to read as follows:

RCW 60.04.020 amended.

Every person, firm or corporation furnishing materials or supplies to be used in the construction, alteration or repair of any mining claim, building, wharf, bridge, ditch, dyke, flume, tunnel, well, fence, machinery, railroad, street railway, wagonroad, aqueduct to create hydraulic power, or any other building, or any other structure, or mining claim or stone quarry, shall, not later than sixty days after the date of the first delivery of such materials or supplies to any contractor or agent, give to the owner or reputed owner of the property on, upon or about which such materials or supplies were used, a notice in writing, stating in substance and effect that such person,

Notice of lien.