

or cost bill.

Passed the House March 24, 1969  
Passed the Senate April 8, 1969  
Approved by the Governor April 17, 1969  
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CHAPTER 88  
[House Bill No. 246]  
GOVERNOR-ELECT'S OFFICE  
AND STAFF, FUNDING

AN ACT Relating to the appropriation of funds for the governor-elect.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 8, Laws of 1965, and to chapter 43.06 RCW a new section to read as follows:

The legislature preceding the gubernatorial election shall make an appropriation which may only be expended by a newly elected governor other than the incumbent for the purpose of providing office and staff for the governor-elect preparatory to his assumption of duties as governor. The funds for the appropriation shall be made available to him not later than thirty days prior to the date when the legislature will convene.

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CHAPTER 89  
[Engrossed House Bill No. 261]  
CITIES AND TOWNS--  
CONSOLIDATION--ANNEXATION

AN ACT Relating to cities and towns; amending section 35.10.200, chapter 7, Laws of 1965, and RCW 35.10.200; amending section 35.10.220, chapter 7, Laws of 1965, as amended by section 15, chapter 73, Laws of 1967, and RCW 35.10.220; amending section 35.10.230, chapter 7, Laws of 1965, as amended by section 16, chapter 73, Laws of 1967, and RCW 35.10.230; amending section 35.10.240, chapter 7, Laws of 1965, as amended by section 17, chapter 73, Laws of 1967, and RCW 35.10.240; amending section 35.10.250, chapter 7, Laws of 1965, and RCW 35.10.250; amending section 35.10.260, chapter 7, Laws of 1965, as amended by section 18, chapter 73, Laws of 1967, and RCW 35.10.260; amend-

ing section 35.10.300, chapter 7, Laws of 1965, and RCW 35.10-.300; amending section 35.10.310, chapter 7, Laws of 1965 and RCW 35.10.310; amending section 35.10.320, chapter 7, Laws of 1965, and RCW 35.10.320; repealing section 35.10.210, chapter 7, Laws of 1965, as amended by section 14, chapter 73, Laws of 1967, and RCW 35.10.210; repealing section 35.10.270, chapter 7, Laws of 1965, as amended by section 19, chapter 73, Laws of 1967, and RCW 35.10.270; repealing section 35.10.280, chapter 7, Laws of 1965, as amended by section 20, chapter 73, Laws of 1967, and RCW 35.10.280; repealing section 35.10.290, chapter 7, Laws of 1965, as amended by section 21, chapter 73, Laws of 1967, and RCW 35.10.290; repealing section 35.10.330, chapter 7, Laws of 1965, and RCW 35.10.330; repealing section 35.12.010, chapter 7, Laws of 1965, and RCW 35.12.010; repealing section 35.37.025, chapter 7, Laws of 1965, and RCW 35.37.025; and adding new sections to chapter 7, Laws of 1965 and to chapter 35.10 RCW.

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

Section 1. Section 35.10.200, chapter 7, Laws of 1965 and RCW 35.10.200 are each amended to read as follows:

Two or more contiguous municipal corporations located in the same or different counties may become consolidated into one corporation after (~~proceedings had~~) proceeding as required by this chapter either by consolidation or annexation by a city or town of all or a portion of another city or town. When municipal corporations are separated by water and/or tide or shore lands upon which no bona fide residence is maintained by any person, they shall be deemed contiguous for all the purposes of this chapter, and may be consolidated under the terms hereof, and upon such consolidation any such intervening water and/or tide or shore lands shall become a part of the consolidated corporation. Notwithstanding chapter 35.01 RCW and RCW 35.02.010 in the event of such a consolidation, the consolidated city shall have the same classification as the former corporation having the

largest population and the annexing city shall retain its same classification regardless of population.

NEW SECTION. Sec. 2. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

The legislative body of either of such contiguous corporations, upon receiving such petition signed by the qualified electors of either of such contiguous corporations equal in number to at least one-fifth of the votes cast at the last municipal general election held in such corporation requesting that a proposition with respect to the consolidation of two or more contiguous corporations be submitted to the voters, shall, within ninety days after receiving it, or the legislative bodies of any contiguous municipal corporations meeting in joint session upon their own initiative by joint resolution, cause to be submitted to the electors of each of such corporations, at a special election to be held for that purpose, the proposition of whether such corporations shall be consolidated into one corporation. The petition or joint resolution may provide that the consolidation proposition may include (1) the form of government, (2) provision in regard to the assumption of indebtedness, (3) the name of the proposed corporation, and (4) whether a community municipal corporation shall be created for the smaller city or town as provided in RCW 35.14.010 through 35.14.060, or that any one or more of these items may be submitted to the voters as a separate proposition.

NEW SECTION. Sec. 3. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

A petition may be signed by the qualified electors of either of such contiguous corporations equal in number to at least one-fifth of the votes cast at the last municipal general election held in such corporation requesting the legislative bodies of contiguous corporations to meet jointly to determine that a study of the consolidation or annexation of such corporations would be desirable or the legislative body of any city or town may request the legislative body of any contiguous corporation to meet jointly to make such determination. If such a finding is made, such

legislative bodies shall thereupon within six months immediately following the filing of such petition cause to be developed a proposed consolidation or annexation plan, including but not limited to, whether in connection with the submission of a proposition for the consolidation or annexation of contiguous corporations to the electors, to have the voters also determine to what extent, if any, the indebtedness approved by the voters, contracted, or incurred prior to the date of consolidation by either of the former of such corporations, should be assumed by the other corporations in which the indebtedness did not originate. On or before the expiration of such six month period, such legislative bodies meeting in joint session shall, by majority vote of each, approve the proposed consolidation or annexation plan, or some modification thereof and shall cause to be submitted to the electors of each of such corporations the question (1) whether such corporations shall become consolidated into one corporation, and (2) in case the existing corporations are operating under different forms of government or are operating under the same form of government and desire to consider a different form of government, the question as to which of the forms of government shall be the form of government under which the new corporation shall be organized and operated, (3) a separate proposition "For assumption of indebtedness," and "Against assumption of indebtedness," or words equivalent thereto, and (4) the name or names, not to exceed two, in alphabetical order of the proposed new corporation, and (5) may submit a separate proposition in regard to whether a community municipal corporation for the smaller city or town as provided in RCW 35.14.010 through 35.14.060 should be created: PROVIDED, That in lieu of submitting each of these propositions or questions separately, they may be submitted as a part of the consolidation proposition: PROVIDED FURTHER, That in all cases wherein any city or town desires to be annexed to another city or town, the question of consolidation, the form of government, and the name of the corporation shall not be submitted to the electors of the annexing city or town, but a separate proposition for or against assumption of indebtedness by the other corporation(s) in

which the indebtedness approved by the voters, contracted, or incurred prior to the date of annexation, did not originate, and a separate proposition in regard to whether a community municipal corporation in the city or town being annexed as provided in RCW 35.14.010 through 35.14.060 should be created, may be submitted to the electors.

NEW SECTION. Sec. 4. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

Three other methods are available for the annexation of all or a part of a city or town to another city or town:

(1) A petition for an election to vote upon the annexation of all or a part of a city or town to another city or town signed by qualified electors of the city or town proposed to be annexed equal in number to at least one-fifth of the votes cast at the last municipal general election held therein may be filed with the legislative body of the city or town to be annexed. Such legislative body, in turn, shall, by resolution, advise the legislative body of the city or town to which annexation is proposed of the receipt of such petition and request the latter legislative body to indicate by resolution whether it will accept the proposed annexation, and if so, on what terms. If such resolution of the annexing city states that its legislative body is favorably disposed toward such annexation, the legislative body of the city or town to be annexed shall submit to the electors in such territory proposed to be annexed, the question of whether such territory shall be annexed and such other propositions as are deemed appropriate.

(2) The legislative body of a city or town may on its own initiative by resolution indicate its desire to be annexed to a city or town either in whole or in part. In case such resolution is passed, such resolution shall be transmitted to the city or town to which it desires to be annexed, and the legislative body of such city or town shall by resolution indicate whether it will accept the proposed annexation, and if so, on what terms.

(3) In the event there are no qualified electors residing within

a part of a city or town which said city or town wishes to have annexed to another contiguous city or town, then the issue of annexation will be decided by the legislative body of the city or town from which the territory is to be withdrawn. This decision, which shall be by majority vote of said legislative body, shall be considered as if it was an election by qualified voters of said territory and handled accordingly under the other applicable sections of this amendatory act.

If the legislative body of the city or town to which annexation is proposed indicates a willingness to accept the annexation, then the question of whether such territory shall be annexed to such corporation and become a part thereof and such other propositions as are deemed appropriate shall be submitted to the electors in the territory to be annexed by the legislative body of the city or town or part thereof to be annexed at an election which such legislative body shall cause to be called for that purpose.

Sec. 5. Section 35.10.220, chapter 7, Laws of 1965, as amended by section 15, chapter 73, Laws of 1967, and RCW 35.10.220 are each amended to read as follows:

The legislative body receiving such petition shall designate a day upon which such special election shall be held in each of the corporations proposed to be consolidated to determine whether such consolidation or creation of a community municipal corporation, or both, as the case may be, shall be effected, and shall give written notice thereof to the legislative body of each of the corporations proposed to be consolidated, or in case the legislative bodies of contiguous municipal corporations by joint resolution initiate a proposal to consolidate such corporations, the day on which such special election is to be held shall be specified in such resolution. ~~((which))~~ Such notice shall designate the suggested name or names in alphabetical order of the proposed new corporation in all cases except in the case of the proposed annexation of all or a portion of any city or town ~~((cities-or-towns-of-the-third-or-fourth-class))~~ to ((a)) another city or town ~~((of-the-first-class))~~.

Sec. 6. Section 35.10.230, chapter 7, Laws of 1965, as amended by section 16, chapter 73, Laws of 1967, and RCW 35.10.230 are each amended to read as follows:

Upon the giving and/or receiving of such notice, it shall be the duty of the legislative body of each of the corporations proposed to be consolidated or consolidated with provision for creation of a community municipal corporation, (~~((except the legislative body of a city of the first class in case of the proposed annexation of cities or towns of the third or fourth class to such city of the first class))~~) or in case of a proposed annexation of all or a portion of a city or town to another city or town the legislative body of the city or town proposed to be annexed, to cause (~~((to be called a special election and in addition to))~~) the election notice required by (~~((chapter 29.27))~~) RCW 29.27.080 to (~~((give notice))~~) be given of ((such)) each special election ((by publication for four weeks prior to such election, in a legal newspaper published in such corporation, or in case no legal newspaper is published therein, then in a legal newspaper published in the county and of general circulation in such corporation)). Such notice shall distinctly state the propositions to be submitted, the names of the corporations proposed to be consolidated, the name or names in alphabetical order of the proposed new corporation, and the class to which such proposed new corporation will belong, and the question of assumption of indebtedness by the other corporations in which the indebtedness did not originate, and shall invite the electors to vote upon such proposition by placing a cross "X" upon their ballots after the words "For consolidation" or "Against consolidation," and, if appropriate, the words "For creation of community municipal corporation" and "Against creation of community municipal corporation" or words equivalent thereto or "For consolidation and creation of community municipal corporation" or "Against consolidation and creation of community municipal corporation" and, in case the question of the form of government of the proposed new corporation is submitted, to place a cross "X" upon their ballots after the words describing the forms being submitted, for example "For commis-

sion form of government" or "For councilmanic form of government" or "For council-manager form of government": PROVIDED, HOWEVER, That in the event of such annexation no proposition in regard to the name or form of government is to be submitted to the voters.

Sec. 7. Section 35.10.240, chapter 7, Laws of 1965, as amended by section 17, chapter 73, Laws of 1967, and RCW 35.10.240 are each amended to read as follows:

In all cases of consolidation or annexation, (~~except the proposed annexation of cities or towns of the third or fourth classes to a city of the first class,~~) the county canvassing board or boards shall canvass the votes cast thereat.

In an election on the question of consolidation the votes cast in each of such corporations shall be canvassed separately, and (~~the~~) a statement shall (~~show~~) be prepared showing the whole number of votes cast, the number of votes cast for consolidation and the number of votes cast against consolidation, the number of votes cast for creation of a community municipal corporation and the number of votes cast against creation of a community municipal corporation, or both, as the case may be, in each of such corporations. In case the question of the form of government of the new corporation shall have been submitted at such election, the votes thereon and on the name of the new corporation shall be canvassed (~~in like manner as the votes on consolidation~~), and the result of such canvass shall be included in the statement, showing the total number of votes cast in all of the corporations for each form of government submitted. A certified copy of such statement shall be filed with the legislative body of each of the corporations affected.

If it shall appear upon such statement of canvass that a majority of the votes cast in each of such corporations were in favor of consolidation or consolidation and creation of a community municipal corporation, the legislative bodies of each of such corporations shall meet in joint convention at the usual place of meeting of the legis-

lative body of that one of the corporations having the largest population as shown by the last United States census ~~((r))~~ or the determination of the planning and community affairs agency on or before the second Monday next succeeding the receipt of the statement of canvass to prepare ~~((an-abstract))~~ a statement of votes cast ~~((incorporating-therein-the-information-contained-in-the-statement-of-canvass))~~ and declaring the consolidation adopted or consolidation adopted and a community municipal corporation created, and if such issue were submitted, declaring the form of government to be that form for which a majority of all the votes on that issue were cast and the name of the consolidated city to be that name for which the greatest number of votes were cast.

In an election on the question of the annexation of all or a part of a city or town to another city or town, the votes cast in the city or town or portion thereof to be annexed shall be canvassed, and if a majority of the votes cast be in favor of annexation, the results shall be included in a statement indicating the total number of votes cast.

Both with respect to consolidation and annexation, a proposition for the assumption of indebtedness outside the forty mill limit by the other corporation(s) in which the indebtedness did not originate shall be deemed approved if a majority of at least three-fifths of the electors of the corporation in which the indebtedness did not originate votes in favor thereof, and the number of persons voting on such proposition constitutes not less than forty percent of the total number of votes cast in such corporations in which indebtedness did not originate at the last preceding general election: PROVIDED, HOWEVER, That if general obligation bond indebtedness was incurred by action by the city legislative body, a proposition for the assumption of such indebtedness by the other corporation(s) in which such indebtedness did not originate shall be deemed approved if a majority of the electors of the corporation in which such indebtedness did not

originate votes in favor thereof.

A duly certified copy of such ~~((abstract))~~ statement of either a consolidation or annexation election shall be filed with the legislative body of each of the corporations affected and recorded upon its minutes, and it shall be the duty of the clerk, or other officer performing the duties of clerk, of each of such legislative bodies, to transmit to the secretary of state and the planning and community affairs agency a duly certified copy of the record of such ~~((abstract))~~ statement.

NEW SECTION. Sec. 8. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

The legislative body of the consolidated or the annexing city or town may, in its discretion, divide the city by ordinance, into a convenient number of wards of substantially equal population and fix the boundaries thereof, and change the same from time to time. Whenever such city is so divided into wards, the city council shall designate by ordinance the number of councilmen to be elected from each ward, apportioning the same in proportion to the population of the wards. Thereafter the councilmen so designated shall be elected by the qualified electors resident in such ward, or by general vote of the whole city as may be designated in such ordinance.

Sec. 9. Section 35.10.250, chapter 7, Laws of 1965, and RCW 35.10.250 are each amended to read as follows:

Immediately after the filing of the ~~((abstract))~~ statement of a consolidation election, ~~((the legislative body of that one of such corporations))~~ the mayor of the city or town having the largest population, as shown by the last ~~((United States))~~ census ~~((7))~~ of the planning and community affairs agency, shall call a meeting of the legislative authorities of the cities and/or towns to be consolidated. Such legislative authorities shall cause to be called a special election, to be held in such new corporation, for the election of the officers required by law to be elected in corporations of the class and form of government to which such new cor-

poration belongs, which election shall be held within six months thereafter: PROVIDED, That if the next regular general election of officers in cities of the class and form of government of such new corporation will be held within one year and not less than two months from the date of such consolidation election, then the officers of such new corporation shall be elected at the said next regular election. Such regular or special election shall be called and conducted and canvassed in all respects in the manner prescribed, or that may be hereafter prescribed, by law for municipal elections in corporations of the class of such new corporation, and the results transmitted by the canvassing authority to the legislative body, who shall immediately declare the result thereof and cause the same to be entered upon its journal, and file certified copies of such result with the legislative body of each of the other corporations affected, who in like manner shall cause the same to be entered upon its journal and a copy thereof shall be filed with the secretary of state.

NEW SECTION. Sec. 10. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

Immediately after the filing of the statement of an annexation election, the legislative body of the annexing city may, if it deems it wise or expedient, adopt an ordinance providing for the annexation. Upon the date fixed in the ordinance of annexation, the area annexed shall become a part of the annexing city or town. The clerk of the annexing city shall transmit a certified copy of this ordinance to the secretary of state and the planning and community affairs agency.

Sec. 11. Section 35.10.260, chapter 7, Laws of 1965, as amended by section 18, chapter 73, Laws of 1967, and RCW 35.10.260 are each amended to read as follows:

From and after the date of such entry such corporations shall be deemed to be consolidated into one corporation under the name and style of "The City, (or town as the case may be) of . . . . ."  
(naming it), with the powers conferred, or that may hereafter be con-

ferred, by law, upon municipal corporations of the class to which the same shall belong, and the officers elected at such election, upon qualifying as provided by law, shall be entitled to enter immediately upon the duties of their respective offices, and shall hold such offices respectively until the next (~~regular~~) municipal general election to be held in such city or town, and until their successors are elected and qualified. The consolidation shall become effective on the date on which the persons elected at such election have qualified and assumed office and in any event such date shall not extend beyond the third Tuesday following such election. If the proposition also provided for the creation of a community municipal corporation, such corporation shall be deemed organized with the powers granted to such corporation by this 1967 amendatory act.

Sec. 12. Section 35.10.300, chapter 7, Laws of 1965, and RCW 35.10.300 are each amended to read as follows:

Upon the consolidation of two or more corporations, or the annexation of any city or town (~~of the third or fourth class~~) to ((a)) another city (~~of the first class~~) or town, as provided in this chapter, the title to all property and assets owned by, or held in trust for, such former corporation, or city or town, shall vest in such consolidated corporation, or annexing city (~~of the first class~~) or town, as the case may be: PROVIDED, That if any such former corporation, or city or town, shall be indebted, the proceeds of the sale of any such property and assets not required for the use of such consolidated corporation, or annexing city (~~of the first class~~), shall be applied to the payment of such indebtedness, if any exist at the time of such sale.

Sec. 13. Section 35.10.310, chapter 7, Laws of 1965, and RCW 35.10.310 are each amended to read as follows:

Such consolidation, or annexation, shall in no wise affect or impair the validity of claim or chose in action existing in favor of or against, any such former corporation or city or town so consolida-

ted or annexed, or any proceeding pending in relation thereto, but such consolidated corporation, or annexing city (~~(of the first class)~~) or town, (~~(as the case may be)~~) shall collect such claims in favor of such former corporation, or cities or towns (~~(of the third or fourth classes)~~), and shall apply the proceeds to the payment of any just claims against them respectively, and shall when necessary levy and collect taxes against the taxable property within any such former corporation, or city or town, sufficient to pay all just claims against it.

NEW SECTION. Sec. 14. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

Upon the consolidation of two or more corporations, or the annexation of any city or town after March 1st and prior to the date of adopting the final budget and levying the property tax millage on the first Monday in October for the next calendar year, the legislative body of the consolidated city or the annexing city is authorized to adopt the final budget and to levy the property tax millage for the consolidated cities or towns and any city or town annexed.

NEW SECTION. Sec. 15. There is added to chapter 7, Laws of 1965 and to chapter 35.10 RCW a new section to read as follows:

Upon the consolidation of two or more corporations, or the annexation of any city or town, the consolidated or annexing city shall receive all state funds to which the component cities or towns would have been entitled to receive during the year when such consolidation or annexation became effective.

Sec. 16. Section 35.10.320, chapter 7, Laws of 1965, and RCW 35.10.320 are each amended to read as follows:

All ordinances in force within any such former corporation, at the time of consolidation or annexation, not in conflict with the laws governing the consolidated corporation, or with the ordinances of the former corporation having the largest population, as shown by the last (~~United States~~) census of the planning and community affairs agency

~~((and all ordinances in force within a city or town of the third or fourth class, not in conflict with the laws governing, or the charter or ordinances of, the city of the first class to which it is annexed))~~ shall remain in full force and effect until superseded or repealed by the legislative body of the consolidated corporation, or annexing city ~~((of the first class))~~ or town, ~~((as the case may be))~~ and shall be enforced by such corporation or city or town, but all ordinances of such former corporations, ~~((cities or towns of the third or fourth class))~~ in conflict with such laws, charters or ordinances shall be deemed repealed by, and from and after, such consolidation or annexation, but nothing in this section shall be construed to discharge any person from any liability, civil or criminal, for any violation of any ordinance of such former corporation ~~((city or town of the third or fourth class))~~ incurred prior to such consolidation or annexation.

NEW SECTION. Sec. 17. There is added to chapter 7, Laws of 1965, and to chapter 35.10 RCW a new section to read as follows:

Unless indebtedness approved by the voters, contracted, or incurred prior to the date of consolidation or annexation as provided herein has been assumed by the voters in the other corporation(s) in which such indebtedness did not originate, such indebtedness continues to be the obligation of the city or town in which it originated, and the legislative body of the consolidated or annexing city shall continue to levy the necessary taxes within the former corporation that incurred this indebtedness to amortize such indebtedness.

NEW SECTION. Sec. 18. The following acts or parts of acts are hereby repealed:

(1) Section 35.10.210, chapter 7, Laws of 1965, as amended by section 14, chapter 73, Laws of 1967, and RCW 35.10.210;

(2) Section 35.10.270, chapter 7, Laws of 1965, as amended by section 19, chapter 73, Laws of 1967, and RCW 35.10.270;

(3) Section 35.10.280, chapter 7, Laws of 1965, as amended by

section 20, chapter 73, Laws of 1967, and RCW 35.10.280;

(4) Section 35.10.290, chapter 7, Laws of 1965, as amended by section 21, chapter 73, Laws of 1967, and RCW 35.10.290;

(5) Section 35.10.330, chapter 7, Laws of 1965, and RCW 35.10-.330;

(6) Section 35.12.010, chapter 7, Laws of 1965, and RCW 35.12-.010; and

(7) Section 35.37.025, chapter 7, Laws of 1965, and RCW 35.37-.025.

NEW SECTION. Sec. 19. 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.

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CHAPTER 90  
[Engrossed House Bill No. 278]  
FIREARMS--ALIENS, LICENSE  
REQUIRED--EXEMPTION

AN ACT Relating to crimes and punishments; exempting Canadian citizens engaged in hunting or in bona fide shooting contests from special firearms licensing for aliens; and amending section 1, chapter 109, Laws of 1953 and RCW 9.41.170.

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

Section 1. Section 1, chapter 109, Laws of 1953 and RCW 9.41-.170 are each amended to read as follows:

It shall be unlawful for any person who is not a citizen of the United States, or who has not declared his intention to become a citizen of the United States, to carry or have in his possession at any time any shotgun, rifle, or other firearm, without first having obtained a license from the director of ~~((license))~~ motor vehicles, and such license is not to be issued by the director of ~~((license))~~