

government having jurisdiction thereof, other than requirements imposed pursuant to this chapter;

(vii) Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars;

(viii) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water for the irrigation of lands;

(ix) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

(x) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system;

(xi) Any action commenced prior to (~~February 13, 1981~~) December 31, 1982, pertaining to (A) the restoration of interim transportation services as may be necessary as a consequence of the destruction of the Hood Canal bridge, including, but not limited to, improvements to highways, development of park and ride facilities, and development of ferry terminal facilities until a new or reconstructed Hood Canal bridge is open to traffic; and (B) the reconstruction of a permanent bridge at the site of the original Hood Canal bridge.

NEW SECTION. Sec. 4. Section 8, chapter 166, Laws of 1977 1st ex. sess. and RCW 47.60.670 are each hereby repealed.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 29, 1980.

Passed the House January 28, 1980.

Approved by the Governor February 1, 1980.

Filed in Office of Secretary of State February 1, 1980.

## CHAPTER 3

[Engrossed Substitute Senate Bill No. 3359]

### ELECTION DATES

AN ACT Relating to elections; amending section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 111,

Laws of 1975-'76 2nd ex. sess. and RCW 29.13.010; amending section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.020; and declaring an emergency.

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

Section 1. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020 as now or hereafter amended, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms of offices created by or whose duties are described in Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (5) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of any elective public officer: PROVIDED HOWEVER, That the county legislative authority may, if they deem an emergency to exist, call a special county election by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March, except that if a state-wide political party caucus by a major political party is scheduled on the second Tuesday, then a special election may not be held on such date but may be held on the third Tuesday in March;
- (c) The first Tuesday after the first Monday in April;

- (d) The third Tuesday in May;
- (e) The day of the primary as specified by RCW 29.13.070; or
- (f) The first Tuesday after the first Monday in November.

In addition to the dates set forth in (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a county to pass a special levy for the first time or from fire, flood, earthquake, or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution.

Sec. 2. Section 29.13.020, chapter 9, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1975-'76 2nd ex. sess. and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

- (1) Elections for the recall of any elective public officer.
- (2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.
- (3) Consolidation proposals as provided for in RCW 28A.57.180 and nonhigh capital fund aid proposals as provided for in chapter 28A.56 RCW.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election in such city, town, or district and for the purpose of such special election he may combine, unite, or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March, except that if a state-wide political party caucus by a major political party is scheduled on the second Tuesday, then a special election may not be held on such date but may be held on the third Tuesday in March: PROVIDED HOWEVER, That in any county holding an election on the second Tuesday in March of 1980 pursuant to a

home-rule charter adopted under Article XI, section 4 of the state Constitution, any city, town, or district where any portion of the registered voters of that city, town, or district reside within that charter county may hold special elections on the second Tuesday in March of 1980;

- (c) The first Tuesday after the first Monday in April;
- (d) The third Tuesday in May;
- (e) The day of the primary election as specified by RCW 29.13.070; or
- (f) The first Tuesday after the first Monday in November.

In addition to (a) through (f) above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from failure of a school or junior taxing district to pass a special levy for the first time or from fire, flood, earthquake, or other act of God. Such special election shall be conducted and notice thereof given in the manner provided by law.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

**NEW SECTION.** Sec. 3. Notwithstanding the provisions of RCW 29.13.010 and 29.13.020, as now or hereafter amended, any county, city, town, or district calling a special election on the third Tuesday of March pursuant to section 1 or 2 of this 1980 amendatory act shall call such election by presenting a resolution to the county auditor at least thirty-five days prior to that proposed election date. The county auditor shall give notice of the closing of voter registration for any special election to be held on the third Tuesday in March of 1980 by one publication in a newspaper of general circulation in the county at least three days before such closing. The provisions of this section shall only apply to elections to be held in March of 1980.

Sec. 4. Section 29.07.160, chapter 9, Laws of 1965 as last amended by section 4, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.160 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers for thirty days immediately preceding every election and primary to be held in such precincts, respectively.

The county auditor shall give notice of the closing of said files for original registration and transfer by one publication in a newspaper of general circulation in the county at least five days before such closing, except as provided for special elections in accordance with section 3 of this 1980 act.

**NEW SECTION.** Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state

government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 5, 1980.

Passed the House February 4, 1980.

Approved by the Governor February 6, 1980.

Filed in Office of Secretary of State February 6, 1980.

CHAPTER 4

[Substitute Senate Bill No. 3195]

HEART LAKE PROPERTY TRANSFER

AN ACT Relating to state trust lands; amending section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.270; and amending section 2, chapter 210, Laws of 1971 ex. sess. and RCW 43.51.280.

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

Section 1. Section 1, chapter 210, Laws of 1971 ex. sess. and RCW 43-51.270 are each amended to read as follows:

(1) The board of natural resources and the state parks and recreation commission shall negotiate a sale to the state parks and recreation commission, for park and outdoor recreation purposes, of the trust lands withdrawn as of August 9, 1971 pursuant to law for park purposes and included within the state parks listed in subsection (2) of this section: PROVIDED, That the sale shall be by contract with a pay-off period of not less than ten years, a price of eleven million twenty-four thousand seven hundred forty dollars or the fair market value, whichever is higher, for the land value, and interest not to exceed six percent. All fees collected by the commission beginning in the 1973-1975 biennium shall be applied to the purchase price of the trust lands listed in subsection (2) of this section, the acquisition of the Heart Lake property, and all reasonable costs of acquisition, described in subsection (3) of this section, and any cost of collection pursuant to appropriations from the trust land purchase account created in RCW 43.51.280. The department of natural resources shall not receive any management fee pursuant to the sale of the trust lands listed in subsection (2) of this section. Timber on the trust lands which are the subject of this section shall continue to be under the management of the department of natural resources until such time as the legislature appropriates funds to the parks and recreation commission for purchase of said timber. (~~The legislature hereby requests that the governor include funds for the purchase of said timber in the 1973-1975 biennial budget.~~) The state parks which include trust lands which shall be the subject of this sale pursuant to this section are:

- (2) (a) Penrose Point
- (b) Kopachuck
- (c) Long Beach
- (d) Leadbetter Point