

envelope addressed to the owner or reputed owner at his place of residence or reputed residence, or (2) by serving the same personally upon the owner or reputed owner and obtaining evidence of such service in the form of a receipt or other acknowledgment signed by such owner or reputed owner, and (3) if the prime contractor complies with section 3 of this act, the notice shall also be given to the prime contractor as defined in RCW 60.04.200(6) by (a) any form of mail requiring a return receipt or (b) by serving the notice personally upon the prime contractor or the prime contractor's representative and obtaining evidence of such service in the form of a receipt or other acknowledgement signed by the prime contractor or the prime contractor's representative; PROVIDED, HOWEVER, That with respect to materials or supplies or equipment used in construction, alteration or repair of any single family residence or garage such notice must be given not later than ten days after the date of the first delivery of such materials or supplies or equipment. No materialmen's lien shall be enforced unless the provisions of this section have been complied with: PROVIDED, That in the event the notice required by this section is not given within the time specified by this section, any lien or claim of lien shall be enforceable only for materials and supplies or equipment delivered subsequent to such notice being given to the owner or reputed owner, and such lien or claim of lien shall be secondary to any lien or claim of lien established where such notice was given within the time limits prescribed by this section.

Passed the House February 29, 1984.

Passed the Senate February 25, 1984.

Approved by the Governor March 16, 1984.

Filed in Office of Secretary of State March 16, 1984.

CHAPTER 203

[Engrossed House Bill No. 392]

LOCAL IMPROVEMENTS—HEARINGS—HISTORIC PRESERVATION BY
CITIES AND COUNTIES—CREDIT CARD USE BY POLITICAL
SUBDIVISIONS—COMMUNITY COUNCILS—HOSPITAL DISTRICTS

AN ACT Relating to local government; amending section 35.43.140, chapter 7, Laws of 1965 and RCW 35.43.140; amending section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040; amending section 84.09.030, chapter 15, Laws of 1961 as amended by section 4, chapter 26, Laws of 1981 and RCW 84.09.030; adding a new section to chapter 35-.21 RCW; adding new sections to chapter 36.32 RCW; adding a new section to chapter 42.24 RCW; creating a new section; and declaring an emergency.

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

Sec. 1. Section 35.43.140, chapter 7, Laws of 1965 and RCW 35.43-.140 are each amended to read as follows:

Any local improvement to be paid for in whole or in part by the levy and collection of assessments upon the property within the proposed improvement district may be initiated by a resolution of the city or town

council or other legislative authority of the city or town, declaring its intention to order the improvement, setting forth the nature and territorial extent of the improvement and notifying all persons who may desire to object thereto to appear and present their objections at a time to be fixed therein.

In the case of trunk sewers and trunk water mains the resolution must describe the routes along which the trunk sewer, subsewer and branches of trunk water main and laterals are to be constructed.

In case of dikes or other structures to protect the city or town or any part thereof from overflow or to open, deepen, straighten, or enlarge water-courses, waterways and other channels the resolution must set forth the place of commencement and ending thereof and the route to be used.

In the case of auxiliary water systems, or extensions thereof or additions thereto for protection of the city or town or any part thereof from fire, the resolution must set forth the routes along which the auxiliary water system or extensions thereof or additions thereto are to be constructed and specifications of the structures or works necessary thereto or forming a part thereof.

The resolution shall be published in at least two consecutive issues of the official newspaper of the city or town, or if there is no official newspaper, in any legal newspaper of general circulation therein; the first publication to be at least fifteen days before the day fixed for the hearing.

The hearing herein required may be held before the city or town council, or other legislative authority, or before a committee thereof. (~~If the hearing is before a committee, the committee shall following the hearing report its recommendation on the resolution to the city council or other legislative authority for final action.~~) The legislative authority of a city having a population of fifteen thousand or more may designate an officer to conduct the hearings. The committee or hearing officer shall report recommendations on the resolution to the legislative authority for final action.

Sec. 2. Section 35A.05.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.05.040 are each amended to read as follows:

When a sufficient petition, as determined by the rules set forth in RCW 35A.01.040, is filed with the legislative body of each of such contiguous municipal corporations, signed by electors of each such corporation in number equal to not less than ten percent of the votes cast at the last general municipal election therein, seeking consolidation of such contiguous municipal corporations as a noncharter code city under one of the plans of government authorized by this title, naming such plan and setting forth a name for the proposed consolidated city, the legislative body of the municipal corporation in which the largest number of inhabitants reside (hereinafter called principal legislative body) shall cause to be submitted to the electors of each of such corporations, at the next general municipal election, if one is to be held within one hundred and eighty days, or at a special election to be called for that purpose not less than (~~ninety~~) sixty nor more

than ~~((one))~~ two hundred and ~~((eighty))~~ twenty days after the filing of the petition, the question whether such corporation shall become consolidated as a noncharter code city under the plan of government proposed in the petition.

NEW SECTION, Sec. 3. There is added to chapter 35.21 RCW a new section to read as follows:

Any city or town may acquire title to or any interest in real and personal property for the purpose of historic preservation and may restore, improve, maintain, manage, and lease the property for public or private use and may enter into contracts, borrow money, and issue bonds and other obligations for such purposes. This authorization shall not expand the eminent domain powers of cities or towns.

NEW SECTION, Sec. 4. There is added to chapter 36.32 RCW a new section to read as follows:

Any county may acquire title to or any interest in real and personal property for the purpose of historic preservation and may restore, improve, maintain, manage, and lease the property for public or private use and may enter into contracts, borrow money, and issue bonds and other obligations for such purposes. This authorization shall not expand the eminent domain powers of counties.

NEW SECTION, Sec. 5. There is added to chapter 42.24 RCW a new section to read as follows:

(1) Any municipal corporation or political subdivision may provide for the issuance of charge cards to officers and employees for the sole purpose of covering expenses incident to authorized travel.

(2) Upon billing or no later than ten days of the billing date, the officer or employee using a charge card issued under this section shall submit a fully itemized travel expense voucher. Any charges against the charge card not properly identified on the travel expense voucher or not allowed following the audit required under RCW 42.24.080 shall be paid by the official or employee by check, United States currency, or salary deduction.

(3) If, for any reason, disallowed charges are not repaid before the charge card billing is due and payable, the municipal corporation or political subdivision shall have a prior lien against and a right to withhold any and all funds payable or to become payable to the official or employee up to an amount of the disallowed charges and interest at the same rate as charged by the company which issued the charge card. Any official or employee who has been issued a charge card by a municipal corporation or political subdivision shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the auditing officer. The municipal corporation or political subdivision shall have unlimited authority to revoke use of any charge card issued under this section, and,

upon such revocation order being delivered to the charge card company, shall not be liable for any costs.

NEW SECTION. Sec. 6. There is added to chapter 36.32 RCW a new section to read as follows:

The legislative authority of any county may by resolution propose the establishment of one or more ad hoc community councils within the unincorporated area of the county. In adopting such resolution, the county legislative authority shall consider the extent to which the residents of the area encompassed by the proposed ad hoc community council share common concerns regarding land use decisions as a result of geographical location, terrain, pattern of development, and other features which make the area distinctive as a community. No ad hoc community council may be formed that has less than one hundred registered voters residing within its boundaries. Ad hoc community councils shall only have advisory capacities.

NEW SECTION. Sec. 7. There is added to chapter 36.32 RCW a new section to read as follows:

Upon the adoption of a resolution under section 6 of this act, the legislative authority of a county shall hold a hearing on the establishment of the ad hoc community council. The legislative authority of the county shall consider the establishment of the ad hoc community council at the hearing held under this section. All persons appearing at the meeting shall have an opportunity to be heard and to voice protests. The hearing may be continued from time to time, but the total number of days from the first day of the hearings to the final day shall not exceed sixty days.

If, after hearing public testimony on the issue, the legislative authority of the county determines that the welfare of the residents of the area encompassed by the proposed ad hoc community council will be served by the establishment of the council, it shall declare such to be its finding. Upon this determination, the county legislative authority may adopt an ordinance creating the ad hoc community council, setting its boundaries, establishing its duration, establishing any limitations on the subjects about which the council may make recommendations, and providing for the selection of the council members who may be directly appointed by the county legislative authority.

NEW SECTION. Sec. 8. Territory may be withdrawn from a public hospital district as provided by this section. The commissioners of a public hospital district may hold a hearing on the proposed removal of territory from the district whenever a petition requesting the withdrawal of such territory has been signed by at least one hundred registered voters residing in the territory proposed to be withdrawn. The petition shall describe by metes and bounds the territory proposed to be withdrawn and shall be filed with the auditor of the county within which the public hospital district is located.

The auditor shall examine the signatures, determine their sufficiency, and certify the sufficiency to the district.

If the auditor certifies the sufficiency of the signatures, the public hospital district commissioners shall hold a public hearing on the proposed withdrawal of territory from the district. Upon the conclusion of the public hearing, the commissioners may provide for the withdrawal of this territory by adopting a resolution by unanimous action finding that this withdrawal is in the public interest and declaring such territory to be withdrawn. Withdrawal of the territory shall be effective at the time and date as provided in the resolution. The property so withdrawn from a public hospital district shall remain liable for any general indebtedness of the district in existence at the time of the withdrawal.

The commissioners shall immediately notify the county legislative authority and auditor of the county within which the district is located of such action. The auditor shall immediately take cognizance of the altered boundaries of the public hospital district for election purposes.

Costs of altering precinct boundaries and voter registration shall be included in the cost of the election allocated under RCW 29.13.045.

The method of withdrawing territory from a public hospital district provided for in this section shall be in addition to any other method of withdrawing territory.

This section shall expire three months after the effective date of this act.

Sec. 9. Section 84.09.030, chapter 15, Laws of 1961 as amended by section 4, chapter 26, Laws of 1981 and RCW 84.09.030 are each amended to read as follows:

For the purposes of property taxation and the levy of property taxes the boundaries of counties, cities and all other taxing districts shall be the established official boundaries of such districts existing on the first day of March of the year in which the levy is made, and no such levy shall be made for any taxing district whose boundaries were not duly established on the first day of March of such year: **PROVIDED**, That for the year 1981 only the boundaries of library districts shall be the established official boundaries existing on the first day of October: **PROVIDED FURTHER**, That for the year 1984 only, boundaries of public hospital districts shall be the established official boundaries existing on the first day of April. In any case where any instrument setting forth the official boundaries of any newly established taxing district, or setting forth any change in such boundaries, is required by law to be filed in the office of the county auditor or other county official, said instrument shall be filed in triplicate. The officer with whom such instrument is filed shall transmit two copies to the county assessor.

NEW SECTION. Sec. 10. 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.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 8, 1984.

Passed the Senate March 8, 1984.

Approved by the Governor March 20, 1984.

Filed in Office of Secretary of State March 20, 1984.

CHAPTER 204

[Engrossed Senate Bill No. 4421]

TIMBER TAX

AN ACT Relating to revenue and taxation; amending section 84.52.080, chapter 15, Laws of 1961 as amended by section 1, chapter 7, Laws of 1965 ex. sess. and RCW 84.52.080; amending section 1, chapter 42, Laws of 1970 ex. sess. and RCW 39.36.015; amending section 1, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.010; amending section 2, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.020; amending section 4, chapter 294, Laws of 1971 ex. sess. as amended by section 7, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.040; amending section 2, chapter 146, Laws of 1981 and RCW 84.33.074; amending section 6, chapter 134, Laws of 1980 and RCW 84.33.075; amending section 8, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.077; amending section 9, chapter 62, Laws of 1983 1st ex. sess. and RCW 84.33.078; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 7, chapter 148, Laws of 1981 and RCW 84.33.120; amending section 17, chapter 294, Laws of 1971 ex. sess. as amended by section 226, chapter 3, Laws of 1983 and RCW 84.33.170; amending section 9, chapter 187, Laws of 1974 ex. sess. as amended by section 4, chapter 6, Laws of 1979 and RCW 84.33.200; amending section 82.32.010, chapter 15, Laws of 1961 as last amended by section 219, chapter 3, Laws of 1983 and RCW 82.32.010; adding new sections to chapter 84.28 RCW; adding new sections to chapter 84.33 RCW; creating new sections; repealing section 3, chapter 294, Laws of 1971 ex. sess., section 1, chapter 4, Laws of 1982 2nd ex. sess. and RCW 84.33.030; repealing section 5, chapter 294, Laws of 1971 ex. sess., section 4, chapter 148, Laws of 1972 ex. sess., section 90, chapter 195, Laws of 1973 1st ex. sess., section 3, chapter 187, Laws of 1974 ex. sess., section 2, chapter 148, Laws of 1981 and RCW 34.33.050; repealing section 6, chapter 294, Laws of 1971 ex. sess., section 91, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 347, Laws of 1977 ex. sess., section 2, chapter 6, Laws of 1979 and RCW 84.33.060; repealing section 1, chapter 347, Laws of 1977 ex. sess., section 1, chapter 6, Laws of 1979, section 1, chapter 148, Laws of 1981, section 2, chapter 4, Laws of 1982 2nd ex. sess., section 59, chapter 3, Laws of 1983 2nd ex. sess. and RCW 84.33.071; repealing section 6, chapter 95, Laws of 1979 ex. sess. and RCW 84.33.072; repealing section 8, chapter 294, Laws of 1971 ex. sess., section 2, chapter 148, Laws of 1972 ex. sess., section 92, chapter 195, Laws of 1973 1st ex. sess., section 2, chapter 187, Laws of 1974 ex. sess., section 8, chapter 123, Laws of 1975-'76 2nd ex. sess., section 3, chapter 347, Laws of 1977 ex. sess., section 3, chapter 6, Laws of 1979, section 6, chapter 4, Laws of 1981, section 1, chapter 8, Laws of 1983 and RCW 84.33.080; repealing section 5, chapter 4, Laws of 1981 and RCW 84.33.085; repealing section 9, chapter 294, Laws of 1971 ex. sess., section 3, chapter 148, Laws of 1972 ex. sess., section 3, chapter 148, Laws of 1981 and RCW 84.33.090; and providing an effective date.

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

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.