

(3) Nothing in this section affects the rights or activities of, or agreements with, adjacent landowners, including the use of rights of way and crossings, nor impairs these rights and uses by the placement of signs.

Passed the Senate March 8, 1990.

Passed the House March 8, 1990.

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## CHAPTER 259

[Substitute House Bill No. 2935]

### LOCAL GOVERNMENT ELECTIONS

AN ACT Relating to local government elections; amending RCW 27.12.040, 35A.02.020, 35A.02.060, 35A.06.040, 35A.07.020, 35A.07.050, 35A.08.040, 35A.09.020, 35A.09.040, 35A.10.030, 35A.15.010, 52.02.030, 52.06.020, 52.14.015, 53.04.020, 53.04.080, 53.04.085, 53.04.110, 53.12.060, 53.46.020, 56.04.030, 56.04.050, 56.12.015, 56.12.030, 56.24.070, 56.24.200, 57.04.030, 57.04.050, 57.12.015, 57.12.020, 57.24.010, 57.24.190, 68.52.220, 68.52.250, 68.54.010, 68.54.020, 68.54.030, 70.44.020, and 70.44.040; and repealing RCW 68.52.230.

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

Sec. 1. Section 4, chapter 59, Laws of 1955 and RCW 27.12.040 are each amended to read as follows:

The procedure for the establishment of a rural county library district shall be as follows:

(1) Petitions signed by at least ten percent of the registered voters of the county who voted in the last general election, outside of the area of incorporated cities and towns, asking that the question, "Shall a rural county library district be established?" be submitted to a vote of the people, shall be filed with the ~~((board of))~~ county ~~((commissioners))~~ legislative authority.

(2) The ~~((board of))~~ county ~~((commissioners))~~ legislative authority, after having determined that the petitions were signed by the requisite number of ~~((qualified petitioners))~~ registered voters, shall place the proposition for the establishment of a rural county library district on the ballot for the vote of the people of the county, outside incorporated cities and towns, at the next succeeding general or special election.

(3) If a majority of those voting on the proposition vote in favor of the establishment of the rural county library district, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall forthwith declare it established.

Sec. 2. Section 35A.02.020, chapter 119, Laws of 1967 ex. sess. as amended by section 3, chapter 18, Laws of 1979 ex. sess. and RCW 35A.02.020 are each amended to read as follows:

When a petition is filed, signed by ~~((qualified electors))~~ registered voters of an incorporated city or town, in number equal to not less than fifty percent of the votes cast at the last general municipal election, seeking the adoption by the city or town of the classification of noncharter code city,

either under its existing authorized plan of government or naming one of the plans of government authorized for noncharter code cities, the ~~((city or town clerk))~~ county auditor shall promptly proceed to determine the sufficiency of the petition under the rules set forth in RCW 35A.01.040. If the petition is found to be sufficient, the ~~((clerk))~~ county auditor shall file with the legislative body a certificate of sufficiency of the petition. Thereupon the legislative body of such city or town shall, by resolution, declare that the inhabitants of the city or town have decided to adopt the classification of noncharter code city and to be governed under the provisions of this title. If a prayer for reorganization is included in the petition such resolution shall also declare that the inhabitants of the city or town have decided to reorganize under the plan of government specified in the petition. The legislative body shall cause such resolution to be published at least once in a newspaper of general circulation within the city or town not later than ten days after the passage of the resolution. Upon the expiration of the ninetieth day from, but excluding the date of, first publication of the resolution, if no timely and sufficient referendum petition has been filed pursuant to RCW 35A.02.025, as now or hereafter amended, as determined by RCW 35A.29.170, the legislative body at its next regular meeting shall effect the decision of the inhabitants, as expressed in the petition, by passage of an ordinance adopting for the city the classification of noncharter code city, and if the petition also sought governmental reorganization by adoption of one of the plans of government authorized for noncharter code cities involving a different general plan of government from that under which the city is operating, then the legislative body shall provide at that time for such reorganization by ordinance and for election of all new officers pursuant to RCW 35A.02.050, as now or hereafter amended.

Sec. 3. Section 35A.02.060, chapter 119, Laws of 1967 ex. sess. and RCW 35A.02.060 are each amended to read as follows:

When a petition which is sufficient under the rules set forth in RCW 35A.01.040 is filed with the legislative body of an incorporated city or town, signed by qualified electors of such municipality in number equal to not less than ten percent of the votes cast at the last general municipal election, seeking adoption by the city or town of the classification of noncharter code city and the reorganization of the city or town under one of the plans of government authorized in this title, the ~~((clerk of the city or town))~~ county auditor shall file with the legislative body thereof a certificate of sufficiency of such petition. Thereupon, the legislative body shall cause such proposal to be submitted to the voters at the next general municipal election if one is to be held within one hundred eighty days after certification of the sufficiency of the petition, or at a special election to be held for that purpose not less than ninety days nor more than one hundred and eighty days from such certification of sufficiency. Ballot titles for elections under this chapter shall be prepared by the city attorney as provided in RCW 35A.29.120.

Sec. 4. Section 35A.06.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.06.040 are each amended to read as follows:

Upon the passage of a resolution of the legislative body of a noncharter code city, or upon the filing of a sufficient petition with the ~~((city clerk))~~ county auditor signed by ~~((qualified electors))~~ registered voters in number equal to not less than ten percent of the votes cast at the last general municipal election therein, proposing abandonment by the city of the plan of government under which it is then operating and adoption of another plan, naming such plan, the sufficiency of the petition for abandonment shall be determined, an election ordered and conducted, and the results declared generally as provided in chapter 35A.02 RCW insofar as such provisions are applicable. If the resolution or petition proposes a plan of government other than those authorized in chapters 35A.12 RCW and 35A.13 RCW of this title, the resolution or petition shall specify the class under which such city will be classified upon adoption of such plan.

Sec. 5. Section 35A.07.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.07.020 are each amended to read as follows:

When a petition is filed, signed by ~~((qualified electors))~~ registered voters of a charter city in number equal to not less than fifty percent of the votes cast at the last general municipal election, seeking the adoption by the charter city of the classification of charter code city the legislative body of such city shall direct the ~~((city clerk))~~ county auditor to determine the sufficiency of the petition under the rules set forth in RCW 35A.01.040. If the petition is found to be sufficient, the ~~((clerk))~~ county auditor shall file with the legislative body a certificate of sufficiency of the petition. Thereupon the legislative body of the charter city shall, by resolution, declare that the inhabitants of such city have decided to adopt the classification of charter code city and to be governed under this title. The legislative body shall cause such resolution to be published at least once in a newspaper of general circulation within the city not later than ten days after the passage of the resolution. Upon the expiration of the ninetieth day from, but excluding the date of first publication of the resolution, if no timely and sufficient referendum petition has been filed, as determined by RCW 35A.29.170, the legislative body shall effect the decision of the inhabitants, as expressed in the petition, by passage of an ordinance adopting for the city the classification of charter code city.

Sec. 6. Section 35A.07.050, chapter 119, Laws of 1967 ex. sess. and RCW 35A.07.050 are each amended to read as follows:

When a petition which is sufficient under the rules set forth in RCW 35A.01.040 is filed with the legislative body of a charter city, signed by ~~((qualified electors))~~ registered voters of such city in number equal to not less than ten percent of the votes cast at the last general municipal election, seeking adoption by the city of the classification of charter code city, the ~~((city clerk))~~ county auditor shall file with the legislative body thereof a

certificate of sufficiency of such petition. Thereupon the legislative body shall cause such proposal to be submitted to the voters at the next general municipal election if one is to be held within one hundred eighty days, or at a special election to be held for that purpose not less than ninety days nor more than one hundred and eighty days after the filing of such petition. Ballot titles for such election shall be prepared by the city attorney as provided in RCW 35A.29.120.

Sec. 7. Section 35A.08.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.08.040 are each amended to read as follows:

The election on the question whether to adopt a charter and become a charter code city and the nomination and election of the members of the charter commission shall be conducted, and the result declared, according to the laws regulating and controlling elections in the city. Candidates for election to the charter commission must be nominated by petition signed by ten (~~((qualified electors))~~) registered voters of the city and residents therein for a period of at least two years preceding the election. A nominating petition shall be filed within the time allowed for filing declarations of candidacy and shall be verified by an affidavit of one or more of the signers to the effect that the affiant believes that the candidate and all of the signers are (~~((qualified electors))~~) registered voters of the city and he signed the petition in good faith for the purpose of endorsing the person named therein for election to the charter commission. A written acceptance of the nomination by the nominee shall be affixed to the petition when filed with the (~~((city clerk))~~) county auditor. Nominating petitions need not be in the form prescribed in RCW 35A.01.040. Any nominee may withdraw his nomination by a written statement of withdrawal filed at any time not later than five days before the last day allowed for filing nominations. The positions on the charter commission shall be designated by consecutive numbers one through fifteen, and the positions so designated shall be considered as separate offices for all election purposes. A nomination shall be made for a specific numbered position.

Sec. 8. Section 35A.09.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.09.020 are each amended to read as follows:

Upon the filing with the (~~((city clerk))~~) county auditor of a sufficient petition signed by (~~((qualified electors))~~) registered voters of a charter code city, in number equal to at least ten percent of the votes cast at the last general municipal election, seeking the adoption of a specified charter amendment set forth in the petition, providing for any matter within the realm of local affairs, or municipal business, or structure of municipal government, offices, and departments, said amendment shall be submitted to the voters 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 held for that purpose not less than ninety days, nor more than one hundred and eighty

days after the filing of the certificate of sufficiency of the petition. The proposed charter amendment shall be published as provided in RCW 35A.09-.050. Upon approval by a majority of the ~~((qualified electors))~~ registered voters voting thereon, such amendment shall become a part of the charter organic law governing such charter code city.

Sec. 9. Section 35A.09.040, chapter 119, Laws of 1967 ex. sess. and RCW 35A.09.040 are each amended to read as follows:

Within ten days after the results of the election authorized by RCW 35A.09.030 have been determined, if a majority of the votes cast favor the proposition, the members of the charter commission elected thereat shall convene and prepare a new or revised charter by altering, revising, adding to, or repealing the existing charter including all amendments thereto and within one hundred and eighty days thereafter file it with the ~~((city clerk))~~ county auditor. The charter commission shall be organized, vacancies filled, alternative plans of government considered, and a public hearing held all in the manner provided in sections of chapter 35A.08 RCW relating to charter commissions, and the commission members shall be reimbursed for their expenses and may obtain technical and clerical assistance in the manner provided in chapter 35A.08 RCW. Upon the filing of the proposed new, altered, changed, or revised charter with the ~~((city clerk))~~ county auditor, it shall be submitted to the ~~((qualified electors))~~ registered voters of the charter code city at an election conducted as provided in RCW 35A.09.060.

Sec. 10. Section 35A.10.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.10.030 are each amended to read as follows:

Upon the passage of a resolution of the legislative body of a charter code city, or upon the filing with the ~~((city clerk))~~ county auditor of a sufficient petition signed by ~~((qualified electors))~~ registered voters of a charter code city in number equal to not less than ten percent of the votes cast at the last general municipal election therein, proposing abandonment of the classification of charter code city and that the city be governed under its charter and the general law relating to cities of the classification named in the petition or resolution, the legislative body thereof shall cause the propositions to be submitted to the voters 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 held for that purpose not less than ninety days nor more than one hundred and eighty days after the passage of the resolution or the filing of the certificate of sufficiency of the petition. Notice of election shall be given, the election conducted, and results declared generally as provided in chapter 35A.02 RCW, insofar as such provisions are applicable. If a majority of the votes cast upon such proposition are in favor of abandonment of the classification of charter code city, upon the certification of the record of election to the office of the secretary of state, such charter city shall be classified as a city of the class selected and shall be governed by the laws relating thereto.

Sec. 11. Section 35A.15.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.15.010 are each amended to read as follows:

Any noncharter code city may be disincorporated. Proceedings may be initiated by the filing with the ~~((city clerk))~~ county auditor of a petition for disincorporation signed by a majority of the ~~((qualified))~~ registered voters resident in such city, or the legislative body of the city may provide by resolution for an election on the proposition of disincorporation.

Sec. 12. Section 2, chapter 34, Laws of 1939 as last amended by section 1, chapter 63, Laws of 1989 and RCW 52.02.030 are each amended to read as follows:

(1) For the purpose of the formation of a fire protection district, a petition designating the boundaries of the proposed district, by metes and bounds, or by describing the lands to be included in the proposed district by United States townships, ranges and legal subdivisions, signed by not less than ~~((fifteen))~~ ten percent of the ~~((qualified))~~ registered ~~((electors))~~ voters who reside within the boundaries of the proposed district who voted in the last general municipal election, and setting forth the object for the creation of the proposed district and alleging that the establishment of the proposed district will be conducive to the public safety, welfare, and convenience, and will be a benefit to the property included in the proposed district, shall be filed with the county auditor of the county in which all, or the largest portion of, the proposed district is located, accompanied by an obligation signed by two or more petitioners, agreeing to pay the cost of the publication of the notice required by this title. The organization of any fire protection district previously formed is hereby approved and confirmed as a legally organized fire protection district in the state of Washington.

(2) The county auditor shall, within thirty days from the date of filing the petition, examine the signatures and certify to the sufficiency or insufficiency of the signatures. If the proposed fire protection district is located in more than one county, the auditor of the county in which the largest portion of the proposed fire protection district is located shall be the lead auditor and shall transmit a copy of the petition to the auditor or auditors of the other county or counties within which the proposed fire protection district is located. Each of these other auditors shall certify to the lead auditor both the total number of registered voters residing in that portion of the proposed fire protection district that is located in the county and the number of valid signatures of such voters who have signed the petition. The lead auditor shall certify the sufficiency or insufficiency of the signatures. The books and records of the auditor shall be prima facie evidence of the truth of the certificate. No person having signed the petition is allowed to withdraw his or her name after the filing of the petition with the county auditor.

(3) If the petition is found to contain a sufficient number of signatures of registered ~~((electors))~~ voters residing within the proposed district, the

county auditor shall transmit the petition, together with the auditor's certificate of sufficiency, to the county legislative authority or authorities of the county or counties in which the proposed fire protection district is located.

Sec. 13. Section 13, chapter 254, Laws of 1947 as amended by section 58, chapter 230, Laws of 1984 and RCW 52.06.020 are each amended to read as follows:

To effect such a merger, a petition to merge shall be filed with the board of the merger district by the commissioners of the merging district. The commissioners of the merging district may sign and file the petition on their own initiative, and they shall file a petition when it is signed by ~~((fifteen))~~ ten percent of the ~~((qualified electors))~~ registered voters resident in the merging district who voted in the last general municipal election and presented to the board of commissioners. The petition shall state the reasons for the merger, state the terms and conditions under which the merger is proposed, and request the merger.

Sec. 14. Section 85, chapter 230, Laws of 1984 as amended by section 20, chapter 63, Laws of 1989 and RCW 52.14.015 are each amended to read as follows:

In the event a three member board of commissioners of any fire protection district determines by resolution and approves by unanimous vote of the board that it would be in the best interest of the district to increase the number of commissioners from three to five, or in the event the board is presented with a petition signed by ~~((fifteen))~~ ten percent of the ~~((qualified electors))~~ registered voters resident within the district who voted in the last general municipal election calling for such an increase in the number of commissioners of the district, the board shall submit a resolution to the county legislative authority or authorities of the county or counties in which the district is located requesting that an election be held. Upon receipt of the resolution, the legislative authority or authorities of the county or counties shall call a special election to be held within the fire protection district at which election the following proposition shall be submitted to the voters substantially as follows:

Shall the board of commissioners of \_\_\_\_\_ county fire protection district no. \_\_\_\_\_ be increased from three members to five members?

Yes \_\_\_\_\_

No \_\_\_\_\_

If the fire protection district is located in more than a single county, this proposition shall indicate the name of the district.

If the proposition receives a majority approval at the election, the board of commissioners of the fire protection district shall be increased to five members. The two additional members shall be appointed in the same manner as provided in RCW 52.14.020.

Sec. 15. Section 2, chapter 92, Laws of 1911 as last amended by section 1, chapter 262, Laws of 1986 and RCW 53.04.020 are each amended to read as follows:

At any general election or at any special election which may be called for that purpose, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of any county in this state may, or on petition of ten percent of the ~~((qualified electors))~~ registered voters of such county based on the total vote cast in the last general county election, shall, by resolution submit to the voters of such county the proposition of creating a port district which may: (1) Be coextensive with the limits of such county as now or hereafter established; or (2) be under the provisions of RCW 53.04.022. Such petition shall be filed with the county auditor, who shall within fifteen days examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose the county auditor shall have access to all registration books in the possession of the officers of any incorporated city or town in such proposed port district. If such petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten days, when the same shall be returned to the county auditor, who shall have an additional fifteen days to examine the same and attach his or her certificate thereto. No person having signed such petition shall be allowed to withdraw his or her name therefrom after the filing of the same with the county auditor. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his or her certificate of sufficiency attached thereto, to the legislative authority of the county, who shall submit such proposition at the next general election or, if such petition so requests, the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall, at their first meeting after the date of such certificate, by resolution, call a special election to be held ~~((not less than thirty days nor more than sixty days from the date of such certificate))~~ in accordance with RCW 29.13.010 and 29.13.020. The notice of election shall state the boundaries of the proposed port district and the object of such election. In submitting the ~~((said))~~ question to the voters for their approval or rejection, the proposition shall be expressed on ~~((said))~~ the ballot substantially in the following terms:

"Port of . . . . ., Yes." (giving the name of the principal seaport city within such proposed port district, or if there be more than one city of the same class within such district, such name as may be determined by the legislative authority of the county).

"Port of . . . . ., No." (giving the name of the principal seaport city within such port district, or if there be more than one city of the same class within such district, such name as may be determined by the legislative authority of the county).



Sec. 16. Section 1, chapter 130, Laws of 1921 as amended by section 1, chapter 16, Laws of 1935 and RCW 53.04.080 are each amended to read as follows:

At any general election or at any special election which may be called for that purpose the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority of any county in this state in which there exists a port district which is not coextensive with the limits of the county, shall on petition of the commissioners of such port district, by resolution, submit to the voters residing within the limits of any territory which the existing port district desires to annex or include in its enlarged port district, the proposition of enlarging the limits of such existing port districts so as to include therein the whole of the territory embraced within the boundaries of such county, or such territory as may be described in ~~((said))~~ the petition by legal subdivisions. Such petition shall be filed with the county auditor, who shall forthwith transmit the same to the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority, who shall submit such proposition at the next general election, or, if such petition so request, the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority, shall at their first meeting after the date of filing such petition, by resolution, call a special election to be held ~~((not less than thirty days nor more than sixty days from the date of filing said petition))~~ in accordance with RCW 29.13.010 and 29.13.020. The notice of election shall state the boundaries of the proposed enlarged port district and the object of the special election. In submitting ~~((said))~~ the question to the voters of the territory proposed to be annexed or included for their approval or rejection, the proposition shall be expressed on the ballots substantially in the following terms:

"Enlargement of the port of . . . . ., yes." (Giving then name of the port district which it is proposed to enlarge);

"Enlargement of the port of . . . . ., no." (Giving the name of the port district which it is proposed to enlarge).

Such election, whether general or special, shall be held in each precinct wholly or partially embraced within the limits of the territory proposed to be annexed or included and shall be conducted and the votes cast thereat counted, canvassed, and the returns thereof made in the manner provided by law for holding general or special county elections.

Sec. 17. Section 2, chapter 157, Laws of 1971 ex. sess. and RCW 53.04.085 are each amended to read as follows:

If an area, not currently part of an existing port district desires to be annexed to a port district in the same county, upon receipt of a petition bearing the names of ten percent of the ~~((qualified electors))~~ registered voters residing within the proposed boundaries of the area desiring to be annexed who voted in the last general municipal election, the commissioners of such port district shall petition the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority to annex such territory, as provided in RCW 53.04.080.

Sec. 18. Section 1, chapter 140, Laws of 1929 and RCW 53.04.110 are each amended to read as follows:

Any port district now existing or which may hereafter be organized under the laws of the state of Washington is hereby authorized to change its corporate name under the following conditions and in the following manner:

(1) On presentation, at least ~~((thirty))~~ forty-five days before any general port election to be held in ~~((said))~~ the port district, of a petition to the commissioners of any port district now existing or which may hereafter be established under the laws of the state of Washington, signed by not less than two hundred fifty ~~((electors))~~ registered voters residing within ~~((said))~~ the port district and asking that the corporate name of ~~((said))~~ the port district be changed, it shall be the duty of ~~((said))~~ the commissioners to submit to the ~~((electors))~~ voters of ~~((said))~~ the port district at the next general port election held in ~~((said))~~ the port district in accordance with RCW 29.13.010 and 29.13.020 the proposition as to whether the corporate name of ~~((said))~~ the port shall be changed.

(2) ~~((said))~~ The petition shall contain the present corporate name of ~~((said))~~ the port district and the corporate name which is proposed to be given to ~~((said))~~ the port district.

(3) On submitting ~~((said))~~ the proposition to the ~~((electors))~~ voters of ~~((said))~~ the port district it shall be the duty of ~~((said))~~ the port commissioners to cause to be printed on the official ballot used at ~~((said))~~ the election the following proposition:

"Shall the corporate name, 'Port of  
.....' be changed to 'Port of  
.....' ..... YES  
"Shall the corporate name, 'Port of  
.....' be changed to 'Port of  
.....' ..... NO"

(4) At the time when the returns of ~~((said))~~ the general election shall be canvassed by the commissioners of the ~~((said))~~ port district, it shall be the duty of ~~((said))~~ the commissioners to canvass the vote upon ~~((said))~~ the proposition so submitted, recording in their record the result of ~~((said))~~ the canvass.

(5) Should a majority of the ~~((electors))~~ registered voters of ~~((said))~~ the port district voting at ~~((said))~~ the general port election vote in favor of ~~((said))~~ the proposition it shall be the duty of ~~((said))~~ the port commissioners to certify ~~((said))~~ the fact to the auditor of the county in which ~~((said))~~ the port district shall be situated and to the secretary of state of the state of Washington, under the seal of ~~((said))~~ the port district. On and after the filing of ~~((said))~~ the certificate with the county auditor as aforesaid and with the secretary of state of the state of Washington, the corporate name

of ~~((said))~~ the port district shall be changed, and thenceforth ~~((said))~~ the port district shall be known and designated in accordance therewith.

Sec. 19. Section 3, chapter 62, Laws of 1913 as last amended by section 6, chapter 175, Laws of 1959 and RCW 53.12.060 are each amended to read as follows:

A general election shall be held in conjunction with county elections for the election of a port commissioner or commissioners and for the submission of propositions, and special elections shall be held at such times and for such propositions as the port commission may by resolution prescribe, subject to the limitations and pursuant to the requirements of ~~((this act:~~

~~There shall be not less than one polling place in each of the various wards of any incorporated city within such port district, and one polling place within each precinct of each port district not within the limits of any incorporated city. PROVIDED, That the commissioners of any port district having a population of less than two hundred and fifty registered voters, may, by resolution, provide that all elections of said district be held at one central polling place to be designated by them. It shall be the duty of the county commissioners in the formation of a port district, and of the port commission in all subsequent elections, to, at least twenty days before each election, designate the polling places and appoint three election officers for each place of voting. At all elections the vote shall be by ballot. The polls shall be open between such hours of the day as the commission shall designate, but in every case the polls shall be open between one o'clock p.m. and eight o'clock p.m. All electors who are, at the time of such election, duly qualified to vote within their respective precincts under the general election laws for state and county officers shall be entitled to vote at any election held in such port district.~~

~~Officers of the city and county having charge of the registration books of any city or precinct in a port district shall deliver the same for the use of the election officers at all port elections. In the event of such registration books being required by law to be used by any school district or other public corporation at the same time as the use thereof will be necessary by the port district, such books shall be delivered to the port commission and school district or other public corporation jointly, and the same polling places and registration books may be used jointly in such cases, and the same individuals may serve as election officers for all such joint elections, and in such cases the compensation of such election officers and other expense shall be so divided that the port district shall bear only its proportionate share thereof)) Title 29 RCW.~~

The manner of conducting and voting at elections under this act, opening and closing of polls, keeping of poll lists, canvassing the votes, declaring the result, and certifying the returns, shall be the same as provided by the general election laws governing the election of state and county officers(~~(, except as otherwise provided in this act)).~~

Sec. 20. Section 2, chapter 26, Laws of 1961 as amended by section 3, chapter 102, Laws of 1965 and RCW 53.46.020 are each amended to read as follows:

The special election to consider such consolidation and to fill such offices shall be conducted in accordance with the general election laws of the state. ~~((Each candidate for the port commission of the port district resulting from the consolidation shall, not more than forty-five nor less than thirty days prior to the election, file with the county auditor a declaration of candidacy for port commissioner from the port commissioner district in which he is a qualified voter. If the proposed consolidated district will lie in two or more counties, candidates shall file with the principal county auditor. The principal county auditor in such case shall be election officer, and the county auditors of other counties having area within such proposed port district shall cooperate by providing such books and records and assisting as may be required in carrying out such election and all subsequent elections in any such consolidated port district. Any candidate may withdraw his declaration at any time within five days after the last day allowed for filing declaration of candidacy. There shall be no fee charged for filing a declaration of candidacy for port commissioner at this election. All names of candidates to be voted upon shall be printed upon the ballot alphabetically by port commissioner districts. Names of candidates printed upon the ballot need not be rotated:))~~

Sec. 21. Section 2, chapter 210, Laws of 1941 as last amended by section 1, chapter 33, Laws of 1987 and RCW 56.04.030 are each amended to read as follows:

For the purpose of formation or reorganization of ~~((such))~~ sewer districts, a petition shall be presented to the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of the county in which ~~((said))~~ the proposed sewer district is located, which petition shall set forth the object for the creation or reorganization of the ~~((said))~~ district, shall designate the boundaries thereof and set forth the further fact that the establishment or reorganization of ~~((said))~~ the district will be conducive to the public health, convenience and welfare and will be of benefit to the property included therein. The petition shall specify the proposed property tax levy assessment, if any, which shall not exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district. ~~((Said))~~ The petition shall be signed by at least ~~((twenty-five))~~ ten percent of the ~~((qualified electors))~~ registered voters residing within the district described in the ~~((said))~~ petition who voted in the last general municipal election: PROVIDED, If in the opinion of the county health officer the existing sewerage disposal facilities are inadequate in the district to be created only, and it is for the public welfare, then the ~~((board of))~~ county ~~((commissioners))~~ legislative authority of ~~((such))~~ the county may declare a

sewerage disposal district a necessity, and ~~((such))~~ the district shall be organized under the provisions of this title, and all amendments thereto. The ~~((said))~~ petition or resolution shall be filed with the county auditor, who shall, within ten days examine the signatures thereof and certify to the sufficiency or insufficiency. For such purpose the county auditor shall have access to all registration books in the possession of the officers of any political subdivision in such proposed district. No person having signed such a petition shall be allowed to withdraw his or her name therefrom after the filing of the same with the county auditor. If ~~((such))~~ the petition shall be found to contain a sufficient number of signatures, the county auditor shall transmit the same, together with his certificate of sufficiency attached thereto to the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority. If ~~((such))~~ the petition or resolution is certified to contain a sufficient number of signatures, or if in the opinion of the county health officer the existing sewerage disposal facilities are a menace to the health and convenience of the public, the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority may, by resolution, and not otherwise, declare a sewerage disposal district a necessity, then at a regular or special meeting of the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority of such county, the ~~((said))~~ county ~~((commissioners))~~ legislative authority shall cause to be published for at least once a week for two successive weeks in some newspaper ~~((printed and published in said county, and in case no such newspaper be printed or published in such county, then at least once a week for two successive weeks in some newspaper))~~ of general circulation ~~((therein))~~ in the county, giving notice that such a petition has been presented, stating the time of the meeting at which the same shall be presented, and setting forth the boundaries of ~~((said))~~ the proposed district.

Sec. 22. Section 4, chapter 210, Laws of 1941 as last amended by section 2, chapter 33, Laws of 1987 and RCW 56.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition, if the commissioners find the proposed sewer system will be conducive to the public health, welfare, and convenience and be of special benefit to the land within the boundaries of the ~~((said))~~ proposed or reorganized district, they shall ~~((by resolution))~~ call a special election ~~((to be held not less than thirty days and not more than sixty days from the date thereof, and))~~ by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election will be held on a date decided by the commissioners in accordance with RCW 29.13.010 and 29.13.020. The commissioners shall cause to be published a notice of such election at least once a week for four successive weeks in a newspaper of general circulation in the county, setting forth the hours during which the polls will be open, the boundaries of the proposed or reorganized district as finally adopted, and the object of the election, and the notice shall also be posted for ten

days in ten public places in the proposed or reorganized district. The proposition shall be expressed on the ballots in the following terms:

- Sewer District ..... YES
- Sewer District ..... NO

or in the reorganization of a district, the proposition shall be expressed on the ballot in the following terms:

- Sewer District Reorganization ..... YES
- Sewer District Reorganization ..... NO

giving in each instance the name of the district as decided by the board.

At the same election the county (~~commissioners~~) legislative authority shall submit a proposition to the voters, for their approval or rejection, authorizing the sewer district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the tax limitations provided by law, in the amount specified in the petition to create the district, not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district, (~~said~~) the proposition to be expressed on the ballots in the following terms:

- One year .... dollars and .... cents per thousand dollars of assessed value tax ..... YES
- One year .... dollars and .... cents per thousand dollars of assessed value tax ..... NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the (~~electors~~) registered voters thereof voting on the proposition in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.

Sec. 23. Section 3, chapter 449, Laws of 1987 and RCW 56.12.015 are each amended to read as follows:

If a three-member board of commissioners of any sewer district determines by resolution and approves by unanimous vote of the board that it would be in the best interest of the district to increase the number of commissioners from three to five, or if the board is presented with a petition signed by ten percent of the (~~qualified electors~~) registered voters resident within the district who voted in the last general municipal election calling for an increase in the number of commissioners of the district, the board shall submit a resolution to the (~~legislative authority of the~~) county auditor requesting that an election be held. Upon receipt of the resolution, the (~~legislative authority of the~~) county auditor shall call a special election to be held within the sewer district in accordance with RCW 29.13.010 and 29.13.020, at which election a proposition in substantially the following language shall be submitted to the voters:

Shall the Board of Commissioners of (Name and/or No. of sewer district) be increased from three to five members?

Yes \_\_\_\_\_

No \_\_\_\_\_

If the proposition receives a majority approval at the election the board of commissioners of the sewer district shall be increased to five members. In any sewer district with more than ten thousand customers, if a three-member board of commissioners determines by resolution and approves by unanimous vote of the board that it would be in the best interest of the district to increase the number of commissioners from three to five, the number of commissioners shall be so increased, without an election, unless within ninety days of adoption of that resolution, a petition requesting an election and signed by at least ten percent of the ~~((electors))~~ registered voters who voted in the last general municipal election is filed with the board. If such a petition is received, the board shall submit the resolution and the petition to the ~~((legislative authority of the))~~ county auditor, ~~((which))~~ who shall call a special election in the manner described in this section and in accordance with the provisions of RCW 29.13.010 and 29.13.020.

The two positions created on boards of sewer commissioners by this section shall be filled initially as for a vacancy, except that the appointees shall draw lots, one appointee to serve until the next general sewer district election after the appointment, at which two commissioners shall be elected for six-year terms, and the other appointee to serve until the second general sewer district election after the appointment, at which two commissioners shall be elected for six-year terms.

Sec. 24. Section 8, chapter 210, Laws of 1941 as last amended by section 1, chapter 41, Laws of 1986 and RCW 56.12.030 are each amended to read as follows:

(1) Nominations for the first board of commissioners to be elected at the election for the formation of the sewer district shall be by petition of fifty ~~((qualified electors))~~ registered voters or ten percent of the ~~((qualified electors))~~ registered voters of the district who voted in the last general municipal election, whichever is the smaller. The petition shall be filed in the auditor's office of the county in which the district is located at least ~~((thirty))~~ forty-five days before the election. Thereafter candidates for the office of sewer commissioner shall file declarations of candidacy and their election shall be conducted as provided by the general elections laws. A vacancy or vacancies shall be filled by appointment by the remaining commissioner or commissioners until the next regular election for commissioners: PROVIDED, That if there are two vacancies on the board, one vacancy shall be filled by appointment by the remaining commissioner and the one remaining vacancy shall be filled by appointment by the then two commissioners and

~~((said))~~ the appointed commissioners shall serve until the next regular election for commissioners. If the vacancy or vacancies remain unfilled within six months of its or their occurrence, the county legislative authority in which the district is located shall make the necessary appointment or appointments. If there is a vacancy of the entire board a new board may be appointed by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority. Any person residing in the district who is at the time of election a ~~((qualified))~~ registered voter may vote at any election held in the sewer district.

(2) Subsection (1) of this section notwithstanding, the board of commissioners may provide by majority vote that subsequent commissioners be elected from commissioner districts within the district. If the board exercises this option, it shall divide the district into three commissioner districts of approximately equal population following current precinct and district boundaries. Thereafter, candidates shall be nominated and one candidate shall be elected from each commissioner district by the ~~((electors))~~ registered voters of the commissioner district.

(3) All expense of elections for the formation or reorganization of a sewer district shall be paid by the county in which the election is held and the expenditure is hereby declared to be for a county purpose, and the money paid for that purpose shall be repaid to the county by the district if formed or reorganized.

Sec. 25. Section 1, chapter 11, Laws of 1967 ex. sess. as last amended by section 3, chapter 308, Laws of 1989 and RCW 56.24.070 are each amended to read as follows:

Territory within the county or counties in which a district is located, or territory adjoining or in close proximity to a district but which is located in another county, may be annexed to and become a part of the district. All annexations shall be accomplished in the following manner: ~~((Twenty))~~ Ten percent of the number of registered voters residing in the territory proposed to be annexed who voted ~~((at the last))~~ in the last general municipal election may file a petition with the district commissioners and cause the question to be submitted to the ~~((electors))~~ voters of the territory whether the territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county ~~((election officer))~~ auditor, who shall, within ten days, examine the signatures thereon and certify to the sufficiency or insufficiency thereof; and for such purpose the county ~~((election officer))~~ auditor shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the ~~((election officer))~~ county auditor shall transmit it, together with a certificate of sufficiency attached thereto to the sewer commissioners of the district. If there are no ~~((electors))~~ registered voters residing in the territory to be annexed, the petition may be signed by such a number as appear of



record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the county legislative authority.

The county legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of ~~((electors))~~ registered voters, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the sewer commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in a newspaper in general circulation throughout the territory proposed to be annexed a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 26. Section 3, chapter 146, Laws of 1982 and RCW 56.24.200 are each amended to read as follows:

Such annexation resolution under RCW 56.24.190 shall be subject to referendum for forty-five days after the passage thereof. Upon the filing of a timely and sufficient referendum petition with the board of commissioners, signed by ~~((qualified electors))~~ registered voters in number equal to not less than ten percent of the ~~((votes cast in the last general state election))~~ registered voters in the area to be annexed who voted in the last general municipal election, the question of annexation shall be submitted to the voters of such area in a general election if one is to be held within ninety days or at a special election called for that purpose ~~((not less than forty-five days nor more than ninety days after the filing of the referendum petition))~~ by the board of commissioners in accordance with RCW 29.13.010 and 29.13.020. Notice of such election shall be given under RCW 56.24.080 and the election shall be conducted under RCW 56.24.090. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation resolution, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the sewer district upon the date fixed in the resolution of annexation upon transmitting the resolution to the county legislative authority.

Sec. 27. Section 2, chapter 114, Laws of 1929 as last amended by section 3, chapter 33, Laws of 1987 and RCW 57.04.030 are each amended to read as follows:

For the purpose of formation of water districts, a petition shall be presented to the county legislative authority of each county in which the proposed water district is located, which petition shall set forth the object for

the creation of the district, shall designate the boundaries thereof and set forth the further fact that establishment of the district will be conducive to the public health, convenience and welfare and will be of benefit to the property included in the district. The petition shall specify the proposed property tax levy assessment, if any, which shall not exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district. The petition shall be signed by at least ~~((twenty-five))~~ ten percent of the ~~((qualified electors))~~ registered voters who voted in the last general municipal election, who shall be qualified electors on the date of filing the petition, residing within the district described in the petition. The petition shall be filed with the county ~~((election officer))~~ auditor of each county in which the proposed district is located, who shall, within ten days examine and verify the signatures of the signers residing in the county; and for such purpose the county election official shall have access to all registration books in the possession of the officers of any incorporated city or town in such proposed district. No person having signed such a petition shall be allowed to withdraw his name from the petition after the filing of the petition with the county election officer. The petition shall be transmitted to the election officer of the county in which the largest land area of the district is located who shall certify to the sufficiency or insufficiency of the number of signatures. If the petition shall be found to contain a sufficient number of signatures, the county election officer shall then transmit the same, together with a certificate of sufficiency attached thereto to the county legislative authority of each county in which the proposed district is located. Following receipt of a petition certified to contain a sufficient number of signatures, at a regular or special meeting the county legislative authority shall cause to be published once a week for at least two weeks in one or more newspapers of general circulation in the proposed district, a notice that such a petition has been presented, stating the time of the meeting at which the petition shall be considered, and setting forth the boundaries of the proposed district. When such a petition is presented for hearing, each county legislative authority shall hear the petition or may adjourn the hearing from time to time not exceeding one month in all. Any person, firm, or corporation may appear before the county legislative authority and make objections to the establishment of the district or the proposed boundary lines thereof. Upon a final hearing each county legislative authority shall make such changes in the proposed boundary lines within the county as it deems to be proper and shall establish and define the boundaries and shall find whether the proposed water district will be conducive to the public health, welfare and convenience and be of special benefit to the land included within the boundaries of the proposed district. No lands which will not, in the judgment of the county legislative authority, be benefited by inclusion therein, shall be included within the boundaries of the district. No change shall be made by the county legislative authority in the

boundary lines to include any territory outside of the boundaries described in the petition, except that the boundaries of any proposed district may be extended by the county legislative authority to include other lands in the county upon a petition signed by the owners of all of the land within the proposed extension.

Sec. 28. Section 3, chapter 114, Laws of 1929 as last amended by section 4, chapter 33, Laws of 1987 and RCW 57.04.050 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition if one or more county legislative authorities find that the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land therein, they shall ~~((by resolution))~~ call a special election ~~((to be held not less than thirty days from the date of the resolution, and))~~ by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election will be held on a date decided by the commissioners in accordance with RCW 29.13.010 and 29.13.020. The commissioners shall cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the proposed district, which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted for ten days in ten public places in the proposed district. In submitting the proposition to the voters, it shall be expressed on the ballots in the following terms:

- Water District ..... YES
- Water District ..... NO

giving the name of the district as provided in the petition.

At the same election a proposition shall be submitted to the voters, for their approval or rejection, authorizing the water district, if formed, to levy at the earliest time permitted by law on all property located in the district a general tax for one year, in excess of the limitations provided by law, in the amount specified in the petition to create the district, not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, for general preliminary expenses of the district, ~~((said))~~ the proposition to be expressed on the ballots in the following terms:

- One year ..... dollars and  
..... cents per thousand dol-  
lars of assessed value tax ..... YES
- One year ..... dollars and  
..... cents per thousand dol-  
lars of assessed value tax ..... NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the ~~((electors))~~ registered voters thereof voting on the proposition in the manner set forth in Article VII, section 2(a) of the Constitution of this state, as amended by Amendment 59 and as thereafter amended.

Sec. 29. Section 12, chapter 449, Laws of 1987 and RCW 57.12.015 are each amended to read as follows:

In the event a three-member board of commissioners of any water district determines by resolution and approves by unanimous vote of the board that it would be in the best interest of the district to increase the number of commissioners from three to five, or in the event the board is presented with a petition signed by ten percent of the ~~((qualified electors))~~ registered voters resident within the district who voted in the last general municipal election calling for an increase in the number of commissioners of the district, the board shall submit a resolution to the ~~((legislative body of the))~~ county auditor requesting that an election be held. Upon receipt of the resolution, the ~~((legislative authority of the))~~ county auditor shall call a special election to be held within the water district in accordance with RCW 29.13.010 and 29.13.020, at which election a proposition in substantially the following language shall be submitted to the voters:

Shall the Board of Commissioners of  
(Name and/or No. of water district) be increased from three to  
five members?

Yes \_\_\_\_\_

No \_\_\_\_\_

If the proposition receives a majority approval at the election the board of commissioners of the water district shall be increased to five members. In any water district with more than ten thousand customers, if a three-member board of commissioners determines by resolution and approves by unanimous vote of the board that it would be in the best interest of the district to increase the number of commissioners from three to five, the number of commissioners shall be so increased, without an election, unless within ninety days of adoption of that resolution a petition requesting an election and signed by at least ten percent of the ~~((electors))~~ registered voters who voted in the last general municipal election is filed with the board. If such a petition is received, the board shall submit the resolution and the petition to the ~~((legislative authority of the))~~ county auditor, ~~((which))~~ who shall call a special election in the manner described in this section and in accordance with the provisions of RCW 29.13.010 and 29.13.020.

The two positions created on boards of water commissioners by this section shall be filled initially as for a vacancy, except that the appointees shall draw lots, one appointee to serve until the next general water district election after the appointment, at which two commissioners shall be elected for six-year terms, and the other appointee to serve until the second general

water district election after the appointment, at which two commissioners shall be elected for six-year terms.

Sec. 30. Section 3, chapter 18, Laws of 1959 as last amended by section 7, chapter 141, Laws of 1985 and RCW 57.12.020 are each amended to read as follows:

Nominations for the first board of commissioners to be elected at the election for the formation of the water district shall be by petition of at least ~~((twenty-five))~~ ten percent of the ~~((qualified electors))~~ registered voters of the district who voted in the last general municipal election, ((or twenty-five of the qualified electors of the district, whichever is lesser,)) filed in the auditor's office of the county in which the district is located, at least ~~((thirty))~~ forty-five days prior to the election. Thereafter, candidates for the office of water commissioners shall file declarations of candidacy and their election shall be conducted as provided by the general election laws. A vacancy or vacancies on the board shall be filled by appointment by the remaining commissioner or commissioners until the next regular election for commissioners: PROVIDED, That if there are two vacancies on the board, one vacancy shall be filled by appointment by the remaining commissioner and the one remaining vacancy shall be filled by appointment by the then two commissioners and ~~((said))~~ the appointed commissioners shall serve until the next regular election for commissioners. If the vacancy or vacancies remain unfilled within six months of its or their occurrence, the county legislative authority in which the district is located shall make the necessary appointment or appointments. If there is a vacancy of the entire board a new board may be appointed by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority.

Any person residing in the district who is a ~~((qualified))~~ registered voter under the laws of the state may vote at any district election.

Sec. 31. Section 15, chapter 18, Laws of 1959 as last amended by section 4, chapter 308, Laws of 1989 and RCW 57.24.010 are each amended to read as follows:

Territory within the county or counties in which a district is located, or territory adjoining or in close proximity to a district but which is located in another county, may be annexed to and become a part of the district. All annexations shall be accomplished in the following manner: ~~((Twenty))~~ Ten percent of the number of registered voters residing in the territory proposed to be annexed who voted ~~((at the last))~~ in the last general municipal election may file a petition with the district commissioners and cause the question to be submitted to the ~~((electors))~~ voters of the territory whether such territory will be annexed and become a part of the district. If the commissioners concur in the petition, they shall file it with the county ~~((election officer))~~ auditor of each county in which the real property proposed to be annexed is located, who shall, within ten days, examine and validate the signatures thereon and certify to the sufficiency or insufficiency thereof; and

for such purpose the county (~~(election officer)~~) auditor shall have access to all registration books in the possession of the officers of any city or town in the proposed district. If the petition contains a sufficient number of signatures, the county (~~(election officer)~~) auditor of the county in which the real property proposed to be annexed is located shall transmit it, together with a certificate of sufficiency attached thereto to the water commissioners of the district. If there are no (~~(electors)~~) registered voters residing in the territory to be annexed, the petition may be signed by such a number as appear of record to own at least a majority of the acreage in the territory, and the petition shall disclose the total number of acres of land in the territory and the names of all record owners of land therein. If the commissioners are satisfied as to the sufficiency of the petition and concur therein, they shall send it, together with their certificate of concurrence attached thereto to the county legislative authority of each county in which the territory proposed to be annexed is located.

The county legislative authority, upon receipt of a petition certified to contain a sufficient number of signatures of (~~(electors)~~) registered voters, or upon receipt of a petition signed by such a number as own at least a majority of the acreage, together with a certificate of concurrence signed by the water commissioners, at a regular or special meeting shall cause to be published once a week for at least two weeks in a newspaper in general circulation throughout the territory proposed to be annexed a notice that the petition has been filed, stating the time of the meeting at which it shall be presented, and setting forth the boundaries of the territory proposed to be annexed.

Sec. 32. Section 6, chapter 146, Laws of 1982 and RCW 57.24.190 are each amended to read as follows:

Such annexation resolution under RCW 57.24.180 shall be subject to referendum for forty-five days after the passage thereof. Upon the filing of a timely and sufficient referendum petition with the board of commissioners, signed by (~~(qualified electors)~~) registered voters in number equal to not less than ten percent of the (~~(votes cast in the last general state election)~~) registered voters in the area to be annexed who voted in the last general municipal election, the question of annexation shall be submitted to the voters of such area in a general election if one is to be held within ninety days or at a special election called for that purpose (~~(not less than forty-five days nor more than ninety days after the filing of the referendum petition)~~) by the board of commissioners in accordance with RCW 29.13.010 and 29.13.020. Notice of such election shall be given under RCW 57.24.020 and the election shall be conducted under RCW 57.24.040. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation resolution, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the water district upon the date fixed in the resolution of annexation upon transmitting the resolution to the county legislative authority.

Sec. 33. Section 14, chapter 6, Laws of 1947 as last amended by section 3, chapter 60, Laws of 1982 and RCW 68.52.220 are each amended to read as follows:

The affairs of the district shall be managed by a board of cemetery district commissioners composed of three qualified ((electors)) registered voters of the district. Members of the board shall receive no compensation for their services, but shall receive expenses necessarily incurred in attending meetings of the board or when otherwise engaged in district business. The board shall fix the compensation to be paid the secretary and other employees of the district. The first three cemetery district commissioners shall serve only until the first day in January following the next general election, provided such election occurs thirty or more days after the formation of the district, and until their successors have been elected and qualified and have assumed office in accordance with RCW 29.04.170. At the next general district election, as provided in RCW 29.13.020, provided it occurs thirty or more days after the formation of the district, three members of the board of cemetery commissioners shall be chosen. They and all subsequently elected cemetery commissioners shall have the same qualifications as required of the first three cemetery commissioners and are exempt from the requirements of chapter 42.17 RCW. The candidate receiving the highest number of votes shall serve for a term of six years beginning on the first day in January following; the candidate receiving the next higher number of votes shall serve for a term of four years from ((said)) the date; and the candidate receiving the next higher number of votes shall serve for a term of two years from ((said)) the date. Upon the expiration of their respective terms, all cemetery commissioners shall be elected for terms of six years to begin on the first day in January next succeeding the day of election and shall serve until their successors have been elected and qualified and assume office in accordance with RCW 29.04.170. Elections shall be called, noticed, conducted and canvassed and in the same manner and by the same officials as provided for general county elections. The polling places for a cemetery district election shall be those of the county voting precincts which include any of the territory within the cemetery district, and may be located outside the boundaries of the district, and no such election shall be held irregular or void on that account.

Sec. 34. Section 17, chapter 6, Laws of 1947 and RCW 68.52.250 are each amended to read as follows:

Special elections submitting propositions to the ~~((qualified))~~ registered voters of the district may be called at any time by resolution of the cemetery commissioners in accordance with RCW 29.13.010 and 29.13.020, and shall be called, noticed, held, conducted and canvassed in the same manner and by the same officials as provided for the election to determine whether the district shall be created. ~~((The qualifications of electors at all district elections shall be the same as for general state and county elections.))~~

Sec. 35. Section 1, chapter 78, Laws of 1969 ex. sess. as amended by section 74, chapter 331, Laws of 1987 and RCW 68.54.010 are each amended to read as follows:

Any territory contiguous to a cemetery district and not within the boundaries of a city or town other than as set forth in RCW 68.52.210 or other cemetery district may be annexed to such cemetery district by petition of ~~((fifteen))~~ ten percent of the ~~((qualified))~~ registered ~~((electors))~~ voters residing within the territory proposed to be annexed who voted in the last general municipal election. Such petition shall be filed with the cemetery commissioners of the cemetery district and if the ~~((said))~~ cemetery commissioners shall concur in the ~~((said))~~ petition they shall then file such petition with the county auditor who shall within thirty days from the date of filing such petition examine the signatures thereof and certify to the sufficiency or insufficiency thereof. After the county auditor shall have certified to the sufficiency of the petition, the proceedings thereafter by the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, and the rights and powers and duties of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority, petitioners and objectors and the election and canvass thereof shall be the same as in the original proceedings to form a cemetery district: PROVIDED, That the ~~((board of))~~ county ~~((commissioners))~~ legislative authority shall have authority and it shall be its duty to determine on an equitable basis, the amount of obligation which the territory to be annexed to the district shall assume, if any, to place the taxpayers of the existing district on a fair and equitable relationship with the taxpayers of the territory to be annexed by reason of the benefits of coming into a going district previously supported by the taxpayers of the existing district, and such obligation may be paid to the district in yearly installments to be fixed by the county ~~((board))~~ legislative authority if within the limits as outlined in RCW 68.52.310 and included in the annual tax levies against the property in such annexed territory until fully paid. The amount of the obligation and the plan of payment thereof filed by the county ~~((board))~~ legislative authority shall be set out in general terms in the notice of election for annexation: PROVIDED, That the special election shall be held only within the boundaries of the territory proposed to be annexed to ~~((said))~~ the cemetery district. Upon the entry of the order of the ~~((board of))~~ county ~~((commissioners))~~ legislative authority incorporating such contiguous territory within such existing cemetery district, ~~((said))~~ the territory shall become subject to



the indebtedness, bonded or otherwise, of ~~((said))~~ the existing district in like manner as the territory of ~~((said))~~ the district. Should such petition be signed by sixty percent of the ~~((qualified))~~ registered ~~((electors))~~ voters residing within the territory proposed to be annexed, and should the cemetery commissioners concur therein, an election in such territory and a hearing on such petition shall be dispensed with and the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority shall enter its order incorporating such territory within the ~~((said))~~ existing cemetery district.

Sec. 36. Section 2, chapter 78, Laws of 1969 ex. sess. and RCW 68-.54.020 are each amended to read as follows:

A cemetery district organized under chapter ~~((68-16))~~ 68.52 RCW may merge with another such district lying adjacent thereto, upon such terms and conditions as they agree upon, in the manner hereinafter provided. The district desiring to merge with another district shall hereinafter be called the "merging district", and the district into which the merger is to be made shall be called the "merger district".

Sec. 37. Section 3, chapter 78, Laws of 1969 ex. sess. and RCW 68-.54.030 are each amended to read as follows:

To effect such a merger, a petition therefor shall be filed with the board of the merger district by the commissioners of the merging district. The commissioners of the merging district may sign and file the petition upon their own initiative, and they shall file such a petition when it is signed by ~~((fifteen))~~ ten percent of the ~~((qualified-electors))~~ registered voters resident in the merging district who voted in the last general municipal election and presented to them. The petition shall state the reasons for the merger; give a detailed statement of the district's finances, listing its assets and liabilities; state the terms and conditions under which the merger is proposed; and pray for the merger.

Sec. 38. Section 3, chapter 264, Laws of 1945 as amended by section 1, chapter 135, Laws of 1955 and RCW 70.44.020 are each amended to read as follows:

At any general election or at any special election which may be called for that purpose the ~~((board-of))~~ county ~~((commissioners))~~ legislative authority of a county may, or on petition of ten percent of the ~~((electors))~~ registered voters of the county based on the total vote cast in the last general county election, shall, by resolution, submit to the voters of the county the proposition of creating a public hospital district coextensive with the limits of the county. The petition shall be filed with the county auditor, who shall within fifteen days examine the signatures thereon and certify to the sufficiency thereof, and for that purpose ~~((he))~~ the auditor shall have access to all registration books in the possession of election officers in the county. If the petition is found to be insufficient, it shall be returned to the persons filing it, who may amend or add names thereto for ten days, when it shall be

returned to the auditor, who shall have an additional fifteen days to examine it and attach ~~((his))~~ the certificate thereto. No person signing the petition may withdraw his or her name therefrom after filing. When the petition is certified as sufficient, the auditor shall forthwith transmit it, together with ~~((his))~~ the certificate of sufficiency attached thereto, to the ~~((commissioners))~~ county legislative authority, who shall immediately transmit the proposition to the supervisor of elections or other election officer of the county, and he shall submit the proposition to the voters at the next general election or if such petition so requests, ~~((he))~~ shall call a special election on such proposition ~~((not less than thirty nor more than ninety days from the date of said certificate))~~ in accordance with RCW 29.13.010 and 29.13.020. The notice of the election shall state the boundaries of the proposed district and the object of the election, and shall in other respects conform to the requirements of law governing the time and manner of holding elections. In submitting the question to the voters, the proposition shall be expressed on the ballot substantially in the following terms:

For public hospital district No. . . . .

Against public hospital district No. . . . .

Sec. 39. Section 5, chapter 264, Laws of 1945 as last amended by section 41, chapter 126, Laws of 1979 ex. sess. and RCW 70.44.040 are each amended to read as follows:

The provisions of Title ~~((54))~~ 29 RCW relating to elections ~~((and procedure of the commission and boundaries and consolidation of public utility districts))~~ shall govern public hospital districts, except that: (1) ~~((Vacancies in hospital commissions shall be governed by chapter 70.44 RCW as now or hereafter amended; (2) elections in hospital districts shall be in odd-numbered years as provided in RCW 29.13.020; (3)))~~ The total vote cast upon the proposition to form a hospital district shall exceed forty percent of the total number of votes cast in the precincts comprising the proposed district at the preceding general and county election; and ~~((4))~~ (2) hospital district commissioners shall hold office for the term of six years and until their successors are elected and qualified, each term to commence on the first day in January following the election. At the election at which the proposition is submitted to the voters as to whether a district shall be formed, three commissioners shall be elected to hold office, respectively, for the terms of two, four, and six years. All candidates shall be voted upon by the entire district, and the candidate residing in commissioner district No. 1 receiving the highest number of votes in the hospital district shall hold office for the term of six years; the candidate residing in commissioner district No. 2 receiving the highest number of votes in the hospital district shall hold office for the term of four years; and the candidate residing in commissioner district No. 3 receiving the highest number of votes in the hospital district shall hold office for the term of two years. The first commissioners to be elected shall take office immediately when qualified in accordance with RCW 29.01.135.

Each term of the initial commissioners shall date from the time above specified following the organizational election, but shall also include the period intervening between the organizational election and the first day of January following the next district general election: PROVIDED, That in public hospital districts encompassing portions of more than one county, the total vote cast upon the proposition to form the district shall exceed forty percent of the total number of votes cast in each portion of each county lying within the proposed district at the next preceding general county election. The portion of ~~((said))~~ the proposed district located within each county shall constitute a separate commissioner district. There shall be three district commissioners whose terms shall be six years. Each district shall be designated by the name of the county in which it is located. All candidates for commissioners shall be voted upon by the entire district. Not more than one commissioner shall reside in any one district: PROVIDED FURTHER, That in the event there are only two districts then two commissioners may reside in one district. The term of each commissioner shall commence on the first day in January in each year following his election. At the election at which the proposition is submitted to the voters as to whether a district shall be formed, three commissioners shall be elected to hold office, respectively, for the terms of two, four, and six years. The candidate receiving the highest number of votes within the district, as constituted by ~~((said))~~ the election, shall serve a term of six years; the candidate receiving the next highest number of votes shall hold office for a term of four years; and the candidate receiving the next highest number of votes shall hold office for a term of two years: PROVIDED FURTHER, That the holding of each such term of office shall be subject to the residential requirements for district commissioners hereinbefore set forth in this section.

NEW SECTION. Sec. 40. Section 15, chapter 6, Laws of 1947 and RCW 68.52.230 are each repealed.

Passed the House February 9, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 28, 1990.

Filed in Office of Secretary of State March 28, 1990.

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## CHAPTER 260

[Substitute Senate Bill No. 6827]

### STATE-WIDE 911 SYSTEM STUDY

AN ACT Relating to state-wide 911; creating new sections; and making an appropriation.

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

NEW SECTION. Sec. 1. The legislature finds that a state-wide emergency communications network of enhanced 911 service, allowing an immediate visual display of a caller's location, would serve to further the