

EXHIBIT 4

CERTIFICATION OF ENROLLMENT

SENATE BILL 5408

Chapter 38, Laws of 2007

60th Legislature
2007 Regular Session

PRIMARY ELECTION BALLOTS

EFFECTIVE DATE: 07/22/07

Passed by the Senate February 23, 2007
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 3, 2007
YEAS 96 NAYS 1

FRANK CHOPP

Speaker of the House of Representatives

Approved April 13, 2007, 10:57 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5408** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 13, 2007

Secretary of State
State of Washington

SENATE BILL 5408

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senators Fairley, Roach, Kohl-Welles, Oemig, Hobbs, Swecker, Kline
and Hatfield; by request of Secretary of State

Read first time 01/18/2007. Referred to Committee on Government
Operations & Elections.

1 AN ACT Relating to primary election ballots; and amending RCW
2 29A.04.008, 29A.36.104, 29A.36.106, and 29A.52.151.

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

4 Sec. 1. RCW 29A.04.008 and 2005 c 243 s 1 are each amended to read
5 as follows:

6 As used in this title:

7 (1) "Ballot" means, as the context implies, either:

8 (a) The issues and offices to be voted upon in a jurisdiction or
9 portion of a jurisdiction at a particular primary, general election, or
10 special election;

11 (b) A facsimile of the contents of a particular ballot whether
12 printed on a paper ballot or ballot card or as part of a voting machine
13 or voting device;

14 (c) A physical or electronic record of the choices of an individual
15 voter in a particular primary, general election, or special election;
16 or

17 (d) The physical document on which the voter's choices are to be
18 recorded;

(2) "Paper ballot" means a piece of paper on which the ballot for a particular election or primary has been printed, on which a voter may record his or her choices for any candidate or for or against any measure, and that is to be tabulated manually;

(3) "Ballot card" means any type of card or piece of paper of any size on which a voter may record his or her choices for any candidate and for or against any measure and that is to be tabulated on a vote tallying system;

(4) "Sample ballot" means a printed facsimile of all the issues and offices on the ballot in a jurisdiction and is intended to give voters notice of the issues, offices, and candidates that are to be voted on at a particular primary, general election, or special election;

(5) "Provisional ballot" means a ballot issued at the polling place on election day by the precinct election board to a voter who would otherwise be denied an opportunity to vote a regular ballot, for any reason authorized by the Help America Vote Act, including but not limited to the following:

(a) The voter's name does not appear in the poll book;

(b) There is an indication in the poll book that the voter has requested an absentee ballot, but the voter wishes to vote at the polling place;

(c) There is a question on the part of the voter concerning the issues or candidates on which the voter is qualified to vote;

(d) Any other reason allowed by law;

(6) "Party ballot" means a primary election ballot specific to a particular major political party that lists all ~~((partisan offices to be voted on at that primary, and the candidates for those offices))~~ candidates for partisan office who affiliate with that same major political party, as well as the nonpartisan races and ballot measures to be voted on at that primary;

(7) "Nonpartisan ballot" means a primary election ballot that lists all nonpartisan races and ballot measures to be voted on at that primary.

Sec. 2. RCW 29A.36.104 and 2004 c 271 s 126 are each amended to read as follows:

Partisan primaries must be conducted using either:

(1) A consolidated ballot format that includes a ~~((major political party identification))~~ check-off box ~~((that allows a voter to select from a list of the major political parties the))~~ for each major political party ~~((with which the voter chooses to affiliate))~~. The consolidated ballot must include all partisan races, nonpartisan races, and ballot measures to be voted on at that primary; or

(2) A physically separate ballot format that includes both party ballots and a nonpartisan ballot. A party ballot must be specific to a particular major political party and ~~((may))~~ include ~~((only the partisan offices to be voted on at that primary and))~~ the names of candidates for ~~((those))~~ partisan offices who designated that same major political party in their declarations of candidacy, as well as all nonpartisan races and ballot measures to be voted on at that primary. The nonpartisan ballot must include ~~((all))~~ only the nonpartisan races and ballot measures to be voted on at that primary.

Sec. 3. RCW 29A.36.106 and 2004 c 271 s 127 are each amended to read as follows:

(1) If the consolidated ballot format is used, the major political party identification check-off box must appear on the primary ballot before all offices and ballot measures. Clear and concise instructions to the voter must be prominently displayed immediately before the list of major political parties, and must include:

(a) A statement that, for partisan offices, the voter may only vote for candidates of one political party;

(b) A question asking the voter to indicate the major political party with which the voter chooses to affiliate;

~~((b))~~ (c) A statement that, for a major political party candidate, only votes cast by voters who choose to affiliate with that same major political party will be tabulated and reported;

~~((e))~~ (d) A statement that votes cast for a major political party candidate by a voter who chooses to affiliate with a different major political party will not be tabulated or reported;

~~((d) A statement that votes cast for a major political party candidate by a voter who fails to select a major political party affiliation will not be tabulated or reported;))~~

(e) A statement that votes cast for a major political party

1 candidate by a voter who selects more than one major political party
2 with which to affiliate will not be tabulated or reported; and

3 (f) A statement that (~~((the party identification option))~~) party
4 affiliation will not affect votes cast for candidates for nonpartisan
5 offices, or for or against ballot measures.

6 (2) If the physically separate ballot format is used, clear and
7 concise instructions to the voter must be prominently displayed, and
8 must include:

9 (a) A statement that, for partisan offices, the voter may only vote
10 for candidates of one political party;

11 (b) A statement explaining that only one (~~((party ballot and one~~
12 ~~nonpartisan))~~) ballot may be voted;

13 (~~((b))~~) (c) A statement explaining that if more than one party
14 ballot is voted, none of the (~~((party ballots))~~) partisan races will be
15 tabulated or reported;

16 (~~((e) A statement explaining that a voter's affiliation with a~~
17 ~~major political party will be inferred from the act of voting the party~~
18 ~~ballot for that major political party;))~~) and

19 (d) A statement explaining that (~~((every eligible registered voter~~
20 ~~may vote a nonpartisan ballot, regardless of any party affiliation on~~
21 ~~the part of the voter))~~) the nonpartisan ballot only lists nonpartisan
22 races and ballot measures and does not list partisan races.

23 **Sec. 4.** RCW 29A.52.151 and 2004 c 271 s 142 are each amended to
24 read as follows:

25 (1) Under a consolidated ballot format:

26 (a) (~~((Votes))~~) A voter's affiliation with a major political party is
27 inferred from either selecting only that party in the check-off box, or
28 voting only for candidates of that political party in partisan races;

29 (b) A vote cast for a major political party candidate will only be
30 tabulated and reported if cast by (~~((voters))~~) a voter who (~~((choose to))~~)
31 affiliated with that same major political party;

32 (~~((b) Votes))~~) (c) A vote cast for a major political party candidate
33 by a voter who (~~((chooses to))~~) affiliated with a different major
34 political party may not be tabulated or reported;

35 (~~((e) Votes cast for a major political party candidate by a voter~~
36 ~~who fails to select a major political party affiliation may not be~~
37 ~~tabulated or reported;))~~)

1 (d) (~~Votes~~) A vote cast for a major political party candidate by
2 a voter who (~~selects~~) affiliated with more than one major political
3 party (~~with which to affiliate~~) may not be tabulated or reported; and

4 (e) (~~Votes~~) A vote properly cast may not be affected by votes
5 improperly cast for other races.

6 (2) Under a physically separate ballot format:

7 (a) Only one party ballot and one nonpartisan ballot may be voted;

8 (b) If more than one party ballot is voted, none of the ballots
9 (~~will~~) may be tabulated or reported;

10 (c) A voter's affiliation with a major political party (~~will be~~)
11 is inferred from the act of voting the party ballot for that major
12 political party; and

13 (d) Every eligible registered voter may vote a nonpartisan ballot.

Passed by the Senate February 23, 2007.

Passed by the House April 3, 2007.

Approved by the Governor April 13, 2007.

Filed in Office of Secretary of State April 13, 2007.

FINAL BILL REPORT

SB 5408

C 38 L 07
Synopsis as Enacted

Brief Description: Modifying provisions on primary election ballots.

Sponsors: Senators Fairley, Roach, Kohl-Welles, Oemig, Hobbs, Swecker, Kline and Hatfield;
by request of Secretary of State.

Senate Committee on Government Operations & Elections
House Committee on State Government & Tribal Affairs

Background: Under Washington's current pick-a-party primary election, county auditors may use either a consolidated ballot or physically separate ballots. Consolidated ballots include all major political party candidates, separated by party, with a check-off box that allows a voter to affiliate with a major party for the purpose of participating in the primary. If a voter fails to select a major political party on the consolidated ballot, any votes cast for a party candidate will not be counted.

If physically separate ballots are used for the primary, the auditor must prepare a ballot for each major political party and a nonpartisan ballot. Party ballots must be specific to a particular party and may include only the partisan offices to be voted on at that primary. Nonpartisan offices and measures are included on the nonpartisan ballot. A voter seeking to vote for both partisan and nonpartisan races must vote a party ballot and a nonpartisan ballot.

During the recent election, the Office of the Secretary of State received reports that primary votes could not be counted because voters using a consolidated ballot failed to check the box indicating party affiliation.

Summary: If a voter fails to select a major party in the check-off box on a consolidated ballot, the votes will be counted if the voter votes only for candidates of one political party in partisan races.

Nonpartisan races and ballot measures must be included on physically separate major party ballots.

Votes on Final Passage:

Senate	48	0
House	96	1

Effective: July 22, 2007

CERTIFICATION OF ENROLLMENT

SENATE BILL 5408

Chapter 38, Laws of 2007

60th Legislature
2007 Regular Session

PRIMARY ELECTION BALLOTS

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BRAD OWEN

President of the Senate

Passed by the House April 3, 2007
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FRANK CHOPP

Speaker of the House of Representatives

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THOMAS HOEMANN

Secretary

Approved April 13, 2007, 10:57 a.m.

FILED

April 13, 2007

CHRISTINE GREGOIRE

Governor of the State of Washington

Secretary of State
State of Washington

SENATE BILL 5408

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senators Fairley, Roach, Kohl-Welles, Oemig, Hobbs, Swecker, Kline
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13 or voting device;

14 (c) A physical or electronic record of the choices of an individual
15 voter in a particular primary, general election, or special election;
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(b) A question asking the voter to indicate the major political party with which the voter chooses to affiliate;

~~((b))~~ (c) A statement that, for a major political party candidate, only votes cast by voters who choose to affiliate with that same major political party will be tabulated and reported;

~~((e))~~ (d) A statement that votes cast for a major political party candidate by a voter who chooses to affiliate with a different major political party will not be tabulated or reported;

~~((d) A statement that votes cast for a major political party candidate by a voter who fails to select a major political party affiliation will not be tabulated or reported;))~~

(e) A statement that votes cast for a major political party

1 candidate by a voter who selects more than one major political party
2 with which to affiliate will not be tabulated or reported; and

3 (f) A statement that ~~((the party identification option))~~ party
4 affiliation will not affect votes cast for candidates for nonpartisan
5 offices, or for or against ballot measures.

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14 ballot is voted, none of the ~~((party ballots))~~ partisan races will be
15 tabulated or reported;

16 ~~((e) A statement explaining that a voter's affiliation with a~~
17 ~~major political party will be inferred from the act of voting the party~~
18 ~~ballot for that major political party;))~~ and

19 (d) A statement explaining that ~~((every eligible registered voter~~
20 ~~may vote a nonpartisan ballot, regardless of any party affiliation on~~
21 ~~the part of the voter))~~ the nonpartisan ballot only lists nonpartisan
22 races and ballot measures and does not list partisan races.

23 **Sec. 4.** RCW 29A.52.151 and 2004 c 271 s 142 are each amended to
24 read as follows:

25 (1) Under a consolidated ballot format:

26 (a) ~~((Votes))~~ A voter's affiliation with a major political party is
27 inferred from either selecting only that party in the check-off box, or
28 voting only for candidates of that political party in partisan races;

29 (b) A vote cast for a major political party candidate will only be
30 tabulated and reported if cast by ~~((voters))~~ a voter who ~~((choose to))~~
31 affiliated with that same major political party;

32 ~~((b) Votes))~~ (c) A vote cast for a major political party candidate
33 by a voter who ~~((chooses to))~~ affiliated with a different major
34 political party may not be tabulated or reported;

35 ~~((e) Votes cast for a major political party candidate by a voter~~
36 ~~who fails to select a major political party affiliation may not be~~
37 ~~tabulated or reported;))~~

1 (d) (~~Votes~~) A vote cast for a major political party candidate by
2 a voter who (~~selects~~) affiliated with more than one major political
3 party (~~with which to affiliate~~) may not be tabulated or reported; and

4 (e) (~~Votes~~) A vote properly cast may not be affected by votes
5 improperly cast for other races.

6 (2) Under a physically separate ballot format:

7 (a) Only one party ballot and one nonpartisan ballot may be voted;

8 (b) If more than one party ballot is voted, none of the ballots
9 (~~will~~) may be tabulated or reported;

10 (c) A voter's affiliation with a major political party (~~will be~~)
11 is inferred from the act of voting the party ballot for that major
12 political party; and

13 (d) Every eligible registered voter may vote a nonpartisan ballot.

Passed by the Senate February 23, 2007.

Passed by the House April 3, 2007.

Approved by the Governor April 13, 2007.

Filed in Office of Secretary of State April 13, 2007.

EXHIBIT 5

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6236

Chapter 344, Laws of 2006

59th Legislature
2006 Regular Session

ELECTION DATES AND DEADLINES--PRIMARY ELECTION

EFFECTIVE DATE: 1/1/07 - Except section 17, which becomes
effective 7/1/2013

Passed by the Senate February 1, 2006
YEAS 37 NAYS 11

BRAD OWEN

President of the Senate

Passed by the House March 1, 2006
YEAS 94 NAYS 3

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **ENGROSSED SENATE
BILL 6236** as passed by the Senate
and the House of Representatives
on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 30, 2006.

FILED

March 30, 2006 - 2:52 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

Secretary of State
State of Washington

ENGROSSED SENATE BILL 6236

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senators Schmidt, Kastama, Swecker, Oke, Berkey and Benson; by request of Secretary of State

Read first time 01/09/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to election dates and deadlines; amending RCW
2 29A.04.311, 29A.04.321, 29A.04.330, 29A.20.121, 29A.24.040, 29A.24.050,
3 29A.24.171, 29A.24.181, 29A.24.191, 29A.24.211, 29A.28.021, 29A.28.041,
4 29A.40.070, 29A.52.011, 29A.56.030, 29A.60.190, 27.12.355, 27.12.370,
5 35.02.086, 35.06.070, 35.13.1821, 35.13.480, 35.61.360, 35A.14.299,
6 35A.14.470, 36.24.190, 36.93.030, 42.12.040, 42.17.080, 42.17.710,
7 52.02.080, 52.04.056, 52.04.071, 53.04.110, 54.08.010, 54.08.070,
8 57.04.050, and 70.44.235; reenacting and amending RCW 29A.60.190;
9 repealing RCW 29A.04.158; providing effective dates; and providing an
10 expiration date.

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

12 **Sec. 1.** RCW 29A.04.311 and 2004 c 271 s 105 are each amended to
13 read as follows:

14 Nominating primaries for general elections to be held in November,
15 and the election of precinct committee officers, must be held on the
16 third Tuesday of the preceding (~~September or on the seventh Tuesday~~
17 ~~immediately preceding such general election, whichever occurs first~~)
18 August.

1 **Sec. 2.** RCW 29A.04.321 and 2004 c 271 s 106 are each amended to
2 read as follows:

3 (1) All state, county, city, town, and district general elections
4 for the election of federal, state, legislative, judicial, county,
5 city, town, and district officers, and for the submission to the voters
6 of the state, county, city, town, or district of any measure for their
7 adoption and approval or rejection, shall be held on the first Tuesday
8 after the first Monday of November, in the year in which they may be
9 called. A statewide general election shall be held on the first
10 Tuesday after the first Monday of November of each year. However, the
11 statewide general election held in odd-numbered years shall be limited
12 to (a) city, town, and district general elections as provided for in
13 RCW 29A.04.330, or as otherwise provided by law; (b) the election of
14 federal officers for the remainder of any unexpired terms in the
15 membership of either branch of the Congress of the United States; (c)
16 the election of state and county officers for the remainder of any
17 unexpired terms of offices created by or whose duties are described in
18 Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22,
19 and 23, and Article IV, sections 3 and 5 of the state Constitution and
20 RCW 2.06.080; (d) the election of county officers in any county
21 governed by a charter containing provisions calling for general county
22 elections at this time; and (e) the approval or rejection of state
23 measures, including proposed constitutional amendments, matters
24 pertaining to any proposed constitutional convention, initiative
25 measures and referendum measures proposed by the electorate, referendum
26 bills, and any other matter provided by the legislature for submission
27 to the electorate.

28 (2) A county legislative authority may(~~(, if it deems an emergency~~
29 ~~to exist,))~~ call a special county election by presenting a resolution
30 to the county auditor (~~(at least forty five days))~~ prior to the
31 proposed election date. Except as provided in subsection (4) of this
32 section, a special election called by the county legislative authority
33 shall be held on one of the following dates as decided by such
34 governing body:

- 35 (a) The first Tuesday after the first Monday in February;
36 (b) The second Tuesday in March;
37 (c) The fourth Tuesday in April;
38 (d) The third Tuesday in May;

(e) The day of the primary as specified by RCW 29A.04.311; or

(f) The first Tuesday after the first Monday in November.

(3) A resolution calling for a special election on a date set forth in subsection (2)(a) through (d) of this section must be presented to the county auditor at least fifty-two days prior to the election date. A resolution calling for a special election on a date set forth in subsection (2)(e) or (f) of this section must be presented to the county auditor at least eighty-four days prior to the election date.

(4) In addition to the dates set forth in subsection (2)(a) through (f) of this section, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake, or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

~~((+4))~~ (5) In a presidential election year, if a presidential preference primary is conducted in February, March, April, or May under chapter 29A.56 RCW, the date on which a special election may be called by the county legislative authority under subsection (2) of this section during the month of that primary is the date of the presidential primary.

~~((+5))~~ (6) This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution. This section shall not be construed as fixing the time for holding primary elections, or elections for the recall of any elective public officer.

Sec. 3. RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read as follows:

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

This section shall not apply to:

(a) Elections for the recall of any elective public officer;

(b) Public utility districts, conservation districts, or district

elections at which the ownership of property within those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto;

(c) Consolidation proposals as provided for in RCW 28A.315.235 and nonhigh capital fund aid proposals as provided for in chapter 28A.540 RCW.

(2) The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town, or district, presented to the auditor (~~((at least forty-five days))~~) prior to the proposed election date, may(~~((, if the county auditor deems an emergency to exist,))~~) call a special election in such city, town, or district, and for the purpose of such special election he or she may combine, unite, or divide precincts. Except as provided in subsection (3) of this section, such a special election shall be held on one of the following dates as decided by the governing body:

(a) The first Tuesday after the first Monday in February;

(b) The second Tuesday in March;

(c) The fourth Tuesday in April;

(d) The third Tuesday in May;

(e) The day of the primary election as specified by RCW (~~((29A.04.310))~~) 29A.04.311; or

(f) The first Tuesday after the first Monday in November.

(3) A resolution calling for a special election on a date set forth in subsection (2)(a) through (d) of this section must be presented to the county auditor at least fifty-two days prior to the election date. A resolution calling for a special election on a date set forth in subsection (2)(e) or (f) of this section must be presented to the county auditor at least eighty-four days prior to the election date.

(4) In a presidential election year, if a presidential preference primary is conducted in February, March, April, or May under chapter 29A.56 RCW, the date on which a special election may be called under subsection (2) of this section during the month of that primary is the date of the presidential primary.

~~((+4))~~ (5) In addition to subsection (2)(a) through (f) of this section, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake, or other act of God, except that no special election may be held between the first day for candidates to file for public office and

the last day to certify the returns of the general election other than as provided in subsection (2)(e) and (f) of this section. Such special election shall be conducted and notice thereof given in the manner provided by law.

~~((+5+))~~ (6) This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 4. RCW 29A.20.121 and 2004 c 271 s 110 are each amended to read as follows:

(1) Any nomination of a candidate for partisan public office by other than a major political party may be made only: (a) In a convention held not earlier than the ~~((last Saturday in June))~~ first Saturday in May and not later than the ~~((first))~~ second Saturday in ~~((July))~~ May or during any of the seven days immediately preceding the first day for filing declarations of candidacy as fixed in accordance with RCW 29A.28.041; (b) as provided by RCW 29A.60.021; or (c) as otherwise provided in this section. Minor political party and independent candidates may appear only on the general election ballot.

(2) Nominations of candidates for president and vice president of the United States other than by a major political party may be made either at a convention conducted under subsection (1) of this section, or at a similar convention taking place not earlier than the first ~~((Sunday in July))~~ Saturday in June and not later than ~~((seventy days before))~~ the ~~((general election))~~ fourth Saturday in July. Conventions held during this time period may not nominate candidates for any public office other than president and vice president of the United States, except as provided in subsection (3) of this section.

(3) If a special filing period for a partisan office is opened under RCW 29A.24.211, candidates of minor political parties and independent candidates may file for office during that special filing period. The names of those candidates may not appear on the general election ballot unless they are nominated by convention held no later than five days after the close of the special filing period and a certificate of nomination is filed with the filing officer no later

1 than three days after the convention. The requirements of RCW
2 29A.20.131 do not apply to such a convention.

3 (4) A minor political party may hold more than one convention but
4 in no case shall any such party nominate more than one candidate for
5 any one partisan public office or position. For the purpose of
6 nominating candidates for the offices of president and vice president,
7 United States senator, United States representative, or a statewide
8 office, a minor party or independent candidate holding multiple
9 conventions may add together the number of signatures of different
10 individuals from each convention obtained in support of the candidate
11 or candidates in order to obtain the number required by RCW 29A.20.141.
12 For all other offices for which nominations are made, signatures of the
13 requisite number of registered voters must be obtained at a single
14 convention.

15 **Sec. 5.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to
16 read as follows:

17 A candidate may file his or her declaration of candidacy for an
18 office by electronic means on a system specifically designed and
19 authorized by a filing officer to accept filings.

20 (1) Filings that are received electronically must capture all
21 information specified in RCW (~~(29A.24.030)~~) 29A.24.031 (1) through (4).

22 (2) Electronic filing may begin at 9:00 a.m. the (~~(fourth)~~) first
23 Monday in (~~(July)~~) June and continue through 4:00 p.m. the following
24 Friday.

25 (3) In case of special filing periods established in this chapter,
26 electronic filings may be accepted beginning at 9:00 a.m. on the first
27 day of the special filing period through 4:00 p.m. the last day of the
28 special filing period.

29 **Sec. 6.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to
30 read as follows:

31 Except where otherwise provided by this title, declarations of
32 candidacy for the following offices shall be filed during regular
33 business hours with the filing officer no earlier than the (~~(fourth)~~)
34 first Monday in (~~(July)~~) June and no later than the following Friday in
35 the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

This section supersedes all other statutes that provide for a different filing period for these offices.

Sec. 7. RCW 29A.24.171 and 2004 c 271 s 165 are each amended to read as follows:

Filings for a nonpartisan office shall be reopened for a period of three normal business days, such three-day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law whenever before the (~~sixth~~) eleventh Tuesday prior to a primary:

(1) A void in candidacy occurs;

(2) A vacancy occurs in any nonpartisan office leaving an unexpired term to be filled by an election for which filings have not been held; or

(3) A nominee for judge of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified.

Candidacies validly filed within said three-day period shall appear on the ballot as if made during the earlier filing period.

Sec. 8. RCW 29A.24.181 and 2004 c 271 s 166 are each amended to read as follows:

Filings for a nonpartisan office (other than judge of the supreme court or superintendent of public instruction) shall be reopened for a period of three normal business days, such three-day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law, when:

1 (1) A void in candidacy for such nonpartisan office occurs on or
2 after the ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to
3 the ((~~sixth~~)) eleventh Tuesday before an election; or

4 (2) A nominee for judge of the superior court eligible after a
5 contested primary for a certificate of election by Article 4, section
6 29, Amendment 41 of the state Constitution, dies or is disqualified
7 within the ten-day period immediately following the last day allotted
8 for a candidate to withdraw; or

9 (3) A vacancy occurs in any nonpartisan office on or after the
10 ((~~sixth~~)) eleventh Tuesday prior to a primary but prior to the
11 ((~~sixth~~)) eleventh Tuesday before an election leaving an unexpired term
12 to be filled by an election for which filings have not been held.

13 The candidate receiving a plurality of the votes cast for that
14 office in the general election shall be deemed elected.

15 **Sec. 9.** RCW 29A.24.191 and 2004 c 271 s 167 are each amended to
16 read as follows:

17 A scheduled election shall be lapsed, the office deemed stricken
18 from the ballot, no purported write-in votes counted, and no candidate
19 certified as elected, when:

20 (1) In an election for judge of the supreme court or superintendent
21 of public instruction, a void in candidacy occurs on or after the
22 ((~~sixth~~)) eleventh Tuesday prior to a primary, public filings and the
23 primary being an indispensable phase of the election process for such
24 offices;

25 (2) Except as otherwise specified in RCW 29A.24.181, a nominee for
26 judge of the superior court entitled to a certificate of election
27 pursuant to Article 4, section 29, Amendment 41 of the state
28 Constitution dies or is disqualified on or after the ((~~sixth~~)) eleventh
29 Tuesday prior to a primary;

30 (3) In other elections for nonpartisan office a void in candidacy
31 occurs or a vacancy occurs involving an unexpired term to be filled on
32 or after the ((~~sixth~~)) eleventh Tuesday prior to an election.

33 **Sec. 10.** RCW 29A.24.211 and 2004 c 271 s 116 are each amended to
34 read as follows:

35 Filings for a partisan elective office shall be opened for a period
36 of three normal business days whenever, on or after the first day of

1 the regular filing period and before the ((~~sixth~~)) eleventh Tuesday
2 prior to a primary, a vacancy occurs in that office, leaving an
3 unexpired term to be filled by an election for which filings have not
4 been held.

5 Any such special three-day filing period shall be fixed by the
6 election officer with whom declarations of candidacy for that office
7 are filed. The election officer shall give notice of the special
8 three-day filing period by notifying the press, radio, and television
9 in the county or counties involved, and by such other means as may be
10 required by law.

11 Candidacies validly filed within the special three-day filing
12 period shall appear on the ballot as if filed during the regular filing
13 period.

14 **Sec. 11.** RCW 29A.28.021 and 2004 c 271 s 192 are each amended to
15 read as follows:

16 A vacancy caused by the death or disqualification of any candidate
17 or nominee of a major or minor political party may be filled at any
18 time up to and including the day prior to the election for that
19 position. For state partisan offices in any political subdivision
20 voted on solely by electors of a single county, an individual shall be
21 appointed to fill such vacancy by the county central committee in the
22 case of a major political party or by the state central committee or
23 comparable governing body in the case of a minor political party. For
24 other partisan offices, including federal or statewide offices, an
25 individual shall be appointed to fill such vacancy by the state central
26 committee or comparable governing body of the appropriate political
27 party.

28 If the vacancy occurs no later than the ((~~sixth~~)) eleventh Tuesday
29 prior to the state primary or general election concerned and the
30 ballots have been printed, it shall be mandatory that they be corrected
31 by the appropriate election officers. In making such correction, it
32 shall not be necessary to reprint complete ballots if any other less
33 expensive technique can be used and the resulting correction is
34 reasonably clear.

35 If the vacancy occurs after the ((~~sixth~~)) eleventh Tuesday prior to
36 the state primary or general election and time does not exist in which
37 to correct ballots (including absentee ballots), either in total or in

1 part, then the votes cast or recorded for the person who has died or
2 become disqualified shall be counted for the person who has been named
3 to fill such vacancy.

4 When the secretary of state is the person with whom the appointment
5 by the major or minor political party is filed, the secretary shall, in
6 certifying candidates or nominations to the various county officers
7 insert the name of the person appointed to fill a vacancy.

8 If the secretary of state has already sent forth the certificate
9 when the appointment to fill a vacancy is filed, the secretary shall
10 forthwith certify to the county auditors of the proper counties the
11 name and place of residence of the person appointed to fill a vacancy,
12 the office for which the person is a candidate or nominee, the party
13 the person represents, and all other pertinent facts pertaining to the
14 vacancy.

15 **Sec. 12.** RCW 29A.28.041 and 2004 c 271 s 118 are each amended to
16 read as follows:

17 (1) Whenever a vacancy occurs in the United States house of
18 representatives or the United States senate from this state, the
19 governor shall order a special election to fill the vacancy. Minor
20 political party candidates and independent candidates may be nominated
21 through the convention procedures provided in chapter 29A.20 RCW.

22 (2) Within ten days of such vacancy occurring, he or she shall
23 issue a writ of election fixing a date for the special vacancy election
24 not less than ninety days after the issuance of the writ, fixing a date
25 for the primary for nominating major political party candidates for the
26 special vacancy election not less than thirty days before the day fixed
27 for holding the special vacancy election, fixing the dates for the
28 special filing period, and designating the term or part of the term for
29 which the vacancy exists. If the vacancy is in the office of United
30 States representative, the writ of election shall specify the
31 congressional district that is vacant.

32 (3) If the vacancy occurs less than six months before a state
33 general election and before the second Friday following the close of
34 the filing period for that general election, the special primary,
35 special vacancy election, and minor party and independent candidate
36 nominating conventions must be held in concert with the state primary
37 and state general election in that year.

(4) If the vacancy occurs on or after the first day for filing under RCW 29A.24.050 and on or before the second Friday following the close of the filing period, a special filing period of three normal business days shall be fixed by the governor and notice thereof given to all media, including press, radio, and television within the area in which the vacancy election is to be held, to the end that, insofar as possible, all interested persons will be aware of such filing period. The last day of the filing period shall not be later than the ~~((third))~~ sixth Tuesday before the primary at which major political party candidates are to be nominated. The names of major political party candidates who have filed valid declarations of candidacy during this three-day period shall appear on the approaching primary ballot. The requirements of RCW 29A.20.131 do not apply to a minor political party or independent candidate convention held under this subsection.

(5) If the vacancy occurs later than the second Friday following the close of the filing period, a special primary, special vacancy election, and the minor party and independent candidate conventions to fill the position shall be held after the next state general election but, in any event, no later than the ninetieth day following the November election.

Sec. 13. RCW 29A.40.070 and 2004 c 266 s 13 are each amended to read as follows:

(1) Except where a recount or litigation under RCW ~~((29A.68.010))~~ 29A.68.011 is pending, the county auditor shall have sufficient absentee ballots available for absentee voters of that county, other than overseas voters and service voters, at least twenty days before any primary, general election, or special election. The county auditor must mail absentee ballots to each voter for whom the county auditor has received a request nineteen days before the primary or election at least eighteen days before the primary or election. For a request for an absentee ballot received after the nineteenth day before the primary or election, the county auditor shall make every effort to mail ballots within one business day, and shall mail the ballots within two business days.

(2) ~~((The county auditor shall make every effort to mail ballots to overseas and service voters earlier than eighteen days before a primary or election))~~ At least thirty days before any primary, general

1 election, or special election, the county auditor shall mail ballots to
2 all overseas and service voters. A request for a ballot made by an
3 overseas or service voter after that day must be processed immediately.

4 (3) Each county auditor shall certify to the office of the
5 secretary of state the dates the ballots prescribed in subsection (1)
6 of this section were available and mailed.

7 (4) If absentee ballots will not be available or mailed as
8 prescribed in subsection (1) of this section, the county auditor shall
9 immediately certify to the office of the secretary of state when
10 absentee ballots will be available and mailed. Copies of this
11 certification must be provided to the county canvassing board, the
12 press, jurisdictions with issues on the ballot in the election, and any
13 candidates.

14 (5) If absentee ballots were not available or mailed as prescribed
15 in subsection (1) of this section, for a reason other than a recount or
16 litigation, the county auditor, in consultation with the certification
17 and training program of the office of the secretary of state, shall
18 submit a report to the office of the secretary of state outlining why
19 the deadline was missed and what corrective actions will be taken in
20 future elections to ensure that absentee ballots are available and
21 mailed as prescribed in subsection (1) of this section.

22 (6) Failure to have absentee ballots available and mailed as
23 prescribed in subsection (1) of this section does not by itself provide
24 a basis for an election contest or other legal challenge to the results
25 of a primary, general election, or special election.

26 **Sec. 14.** RCW 29A.52.011 and 2004 c 271 s 172 are each amended to
27 read as follows:

28 Whenever it shall be necessary to hold a special election in an
29 odd-numbered year to fill an unexpired term of any office which is
30 scheduled to be voted upon for a full term in an even-numbered year, no
31 ((September)) primary election shall be held in the odd-numbered year
32 if, after the last day allowed for candidates to withdraw, either of
33 the following circumstances exist:

34 (1) No more than one candidate of each qualified political party
35 has filed a declaration of candidacy for the same partisan office to be
36 filled; or

1 (2) No more than two candidates have filed a declaration of
2 candidacy for a single nonpartisan office to be filled.

3 In either event, the officer with whom the declarations of
4 candidacy were filed shall immediately notify all candidates concerned
5 and the names of the candidates that would have been printed upon the
6 (~~September~~) primary ballot, but for the provisions of this section,
7 shall be printed as nominees for the positions sought upon the November
8 general election ballot.

9 **Sec. 15.** RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to
10 read as follows:

11 The name of any candidate for a major political party nomination
12 for president of the United States shall be printed on the presidential
13 preference primary ballot of a major political party only:

14 (1) By direction of the secretary of state, who in the secretary's
15 sole discretion has determined that the candidate's candidacy is
16 generally advocated or is recognized in national news media; or

17 (2) If members of the political party of the candidate have
18 presented a petition for nomination of the candidate that has attached
19 to the petition a sheet or sheets containing the signatures of at least
20 one thousand registered voters who declare themselves in the petition
21 as being affiliated with the same political party as the presidential
22 candidate. The petition shall be filed with the secretary of state not
23 later than (~~the thirty ninth day~~) sixty days before the presidential
24 preference primary. The signature sheets shall also contain the
25 residence address and name or number of the precinct of each registered
26 voter whose signature appears thereon and shall be certified in the
27 manner prescribed in RCW 29A.72.230 and 29A.72.240.

28 The secretary of state shall place the name of the candidate on the
29 ballot unless the candidate, at least (~~thirty five~~) fifty-two days
30 before the presidential preference primary, executes and files with the
31 secretary of state an affidavit stating without qualification that he
32 or she is not now and will not become a candidate for the office of
33 president of the United States at the forthcoming presidential
34 election. The secretary of state shall certify the names of all
35 candidates who will appear on the presidential preference primary
36 ballot to the respective county auditors on or before the fourth
37 Tuesday in April of each presidential election year.

1 **Sec. 16.** RCW 29A.60.190 and 2005 c 243 s 16 and 2005 c 153 s 12
2 are each reenacted and amended to read as follows:

3 (1) Except as provided by subsection (3) of this section, ~~((ten))~~
4 fifteen days after a primary or special election and twenty-one days
5 after a general election, the county canvassing board shall complete
6 the canvass and certify the results. Each absentee ballot that was
7 returned before the closing of the polls ~~((on the date of the primary~~
8 ~~or election for which it was issued))~~, and each absentee ballot
9 ~~((with))~~ bearing a postmark on or before the date of the primary or
10 election ~~((for which it was issued))~~ and received on or before the date
11 on which the primary or election is certified, must be included in the
12 canvass report.

13 (2) At the request of a caucus of the state legislature, the county
14 auditor shall transmit copies of all unofficial returns of state and
15 legislative primaries or elections prepared by or for the county
16 canvassing board to either the secretary of the senate or the chief
17 clerk of the house of representatives.

18 (3) On or before the thirtieth day after an election conducted
19 under the instant runoff voting method for the pilot project authorized
20 by RCW 29A.53.020, the canvassing board shall complete the canvass and
21 certify the results.

22 **Sec. 17.** RCW 29A.60.190 and 2005 c 243 s 16 are each amended to
23 read as follows:

24 (1) ~~((Ten))~~ Fifteen days after a primary or special election and
25 twenty-one days after a general election, the county canvassing board
26 shall complete the canvass and certify the results. Each absentee
27 ballot that was returned before the closing of the polls ~~((on the date~~
28 ~~of the primary or election for which it was issued))~~, and each absentee
29 ballot ~~((with))~~ bearing a postmark on or before the date of the primary
30 or election ~~((for which it was issued))~~ and received on or before the
31 date on which the primary or election is certified, must be included in
32 the canvass report.

33 (2) At the request of a caucus of the state legislature, the county
34 auditor shall transmit copies of all unofficial returns of state and
35 legislative primaries or elections prepared by or for the county
36 canvassing board to either the secretary of the senate or the chief
37 clerk of the house of representatives.

1 **Sec. 18.** RCW 27.12.355 and 1987 c 138 s 1 are each amended to read
2 as follows:

3 (1) As provided in this section, a rural county library district,
4 island library district, or intercounty rural library district may
5 withdraw areas from its boundaries, or reannex areas into the library
6 district that previously had been withdrawn from the library district
7 under this section.

8 (2) The withdrawal of an area shall be authorized upon: (a)
9 Adoption of a resolution by the board of trustees requesting the
10 withdrawal and finding that, in the opinion of the board, inclusion of
11 this area within the library district will result in a reduction of the
12 district's tax levy rate under the provisions of RCW 84.52.010; and (b)
13 adoption of a resolution by the city or town council approving the
14 withdrawal, if the area is located within the city or town, or adoption
15 of a resolution by the county legislative authority of the county
16 within which the area is located approving the withdrawal, if the area
17 is located outside of a city or town. A withdrawal shall be effective
18 at the end of the day on the thirty-first day of December in the year
19 in which the resolutions are adopted, but for purposes of establishing
20 boundaries for property tax purposes, the boundaries shall be
21 established immediately upon the adoption of the second resolution.

22 The authority of an area to be withdrawn from a library district as
23 provided under this section is in addition, and not subject, to the
24 provisions of RCW 27.12.380.

25 The withdrawal of an area from the boundaries of a library district
26 shall not exempt any property therein from taxation for the purpose of
27 paying the costs of redeeming any indebtedness of the library district
28 existing at the time of the withdrawal.

29 (3) An area that has been withdrawn from the boundaries of a
30 library district under this section may be reannexed into the library
31 district upon: (a) Adoption of a resolution by the board of trustees
32 proposing the reannexation; and (b) adoption of a resolution by the
33 city or town council approving the reannexation, if the area is located
34 within the city or town, or adoption of a resolution by the county
35 legislative authority of the county within which the area is located
36 approving the reannexation, if the area is located outside of a city or
37 town. The reannexation shall be effective at the end of the day on the
38 thirty-first day of December in the year in which the adoption of the

second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date (~~((specified in RCW 29.13.020 that occurs forty five or more days after the petitions have been validated))~~) according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

Sec. 19. RCW 27.12.370 and 1982 c 123 s 14 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in such city or town at the next special election date (~~((provided in RCW 29.13.010 but not less than forty five days from the date of the declaration of such finding))~~) according to RCW 29A.04.321, and shall cause notice of such election to be given as provided for in RCW (~~((29.27.080))~~) 29A.52.351.

The election on the annexation of the city or town into the library district shall be conducted by the auditor of the county or counties in which the city or town is located in accordance with the general election laws of the state and the results thereof shall be canvassed by the canvassing board of the county or counties. No person shall be entitled to vote at such election unless he or she is registered to vote in said city or town for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

"Shall the city or town of be annexed to and be
a part of library district?

YES ☐

NO ☐

If a majority of the persons voting on the proposition shall vote in favor thereof, the city or town shall thereupon be annexed and shall be a part of such library district.

Sec. 20. RCW 35.02.086 and 1986 c 234 s 11 are each amended to read as follows:

Each candidate for a city or town elective position shall file a declaration of candidacy with the county auditor of the county in which all or the major portion of the city or town is located(~~((, not more than forty five nor less than thirty days))~~) prior to the primary election at which the initial elected officials are nominated, according to RCW 29A.24.050. The elective positions shall be as provided in law for the type of city or town and form or plan of government specified in the petition to incorporate, and for the population of the city or town as determined by the county legislative authority or boundary review board where applicable. Any candidate may withdraw his or her declaration (~~((at any time within five days after the last day allowed for filing declaration of candidacy))~~) according to RCW 29A.24.131. All names of candidates to be voted upon shall be printed upon the ballot alphabetically in groups under the designation of the respective titles of offices for which they are candidates. Names of candidates printed upon the ballot need not be rotated.

Sec. 21. RCW 35.06.070 and 1994 c 81 s 8 are each amended to read as follows:

A ballot proposition authorizing an advancement in classification of a town to a second class city shall be submitted to the voters of the town if either: (1) Petitions proposing the advancement are submitted to the town clerk that have been signed by voters of the town equal in number to at least ten percent of the voters of the town voting at the last municipal general election; or (2) the town council adopts a resolution proposing the advancement. The clerk shall immediately forward the petitions to the county auditor who shall review the signatures and certify the sufficiency of the petitions.

1 A ballot proposition authorizing an advancement shall be submitted
2 to the town voters at the next ~~((municipal general))~~ special election
3 ~~((occurring forty five or more days after the petitions are submitted))~~
4 date according to RCW 29A.04.330 if the county auditor certifies the
5 petitions as having sufficient valid signatures. The town shall be
6 advanced to a second class city if the ballot proposition is approved
7 by a simple majority vote, effective when the corporation is actually
8 reorganized and the new officers are elected and qualified. The county
9 auditor shall notify the secretary of state if the advancement of a
10 town to a second class city is approved.

11 **Sec. 22.** RCW 35.13.1821 and 1998 c 286 s 2 are each amended to
12 read as follows:

13 The annexation ordinance provided for in RCW 35.13.182 is subject
14 to referendum for forty-five days after its passage. Upon the filing
15 of a timely and sufficient referendum petition with the legislative
16 body, signed by qualified electors in number equal to not less than ten
17 percent of the votes cast in the last general state election in the
18 area to be annexed, the question of annexation shall be submitted to
19 the voters of the area in a general election if one is to be held
20 within ninety days or at a special election called for that purpose
21 ~~((not less than forty five days nor more than ninety days after the~~
22 ~~filing of the referendum petition))~~ according to RCW 29A.04.330.
23 Notice of the election shall be given as provided in RCW 35.13.080 and
24 the election shall be conducted as provided in the general election
25 law. The annexation shall be deemed approved by the voters unless a
26 majority of the votes cast on the proposition are in opposition
27 thereto.

28 After the expiration of the forty-fifth day from but excluding the
29 date of passage of the annexation ordinance, if no timely and
30 sufficient referendum petition has been filed, the area annexed shall
31 become a part of the city or town upon the date fixed in the ordinance
32 of annexation.

33 **Sec. 23.** RCW 35.13.480 and 2003 c 299 s 2 are each amended to read
34 as follows:

35 (1) The legislative body of any county planning under chapter
36 36.70A RCW and subject to the requirements of RCW 36.70A.215 may

1 initiate an annexation process with the legislative body of any other
2 cities or towns that are contiguous to the territory proposed for
3 annexation in RCW 35.13.470 if:

4 (a) The county legislative body initiated an annexation process as
5 provided in RCW 35.13.470; and

6 (b) The affected city or town legislative body adopted a responsive
7 resolution rejecting the proposed annexation or declined to create the
8 requested interlocal agreement with the county; or

9 (c) More than one hundred eighty days have passed since adoption of
10 a county resolution as provided for in RCW 35.13.470 and the parties
11 have not adopted or executed an interlocal agreement providing for the
12 annexation of unincorporated territory. The legislative body for
13 either the county or an affected city or town may, however, pass a
14 resolution extending the negotiation period for one or more six-month
15 periods if a public hearing is held and findings of fact are made prior
16 to each extension.

17 (2) Any county initiating the process provided for in subsection
18 (1) of this section must do so by adopting a resolution commencing
19 negotiations for an interlocal agreement as provided in chapter 39.34
20 RCW between the county and any city or town within the county. The
21 annexation area must be within an urban growth area designated under
22 RCW 36.70A.110 and at least sixty percent of the boundaries of the
23 territory to be annexed must be contiguous to one or more cities or
24 towns.

25 (3) The agreement shall describe the boundaries of the territory to
26 be annexed. A public hearing shall be held by each legislative body,
27 separately or jointly, before the agreement is executed. Each
28 legislative body holding a public hearing shall, separately or jointly,
29 publish the agreement at least once a week for two weeks before the
30 date of the hearing in one or more newspapers of general circulation
31 within the territory proposed for annexation.

32 (4) Following adoption and execution of the agreement by both
33 legislative bodies, the city or town legislative body shall adopt an
34 ordinance providing for the annexation. The legislative body shall
35 cause notice of the proposed effective date of the annexation, together
36 with a description of the property to be annexed, to be published at
37 least once each week for two weeks subsequent to passage of the
38 ordinance, in one or more newspapers of general circulation within the

1 city and in one or more newspapers of general circulation within the
2 territory to be annexed. If the annexation ordinance provides for
3 assumption of indebtedness or adoption of a proposed zoning regulation,
4 the notice shall include a statement of the requirements. Any area to
5 be annexed through an ordinance adopted under this section is annexed
6 and becomes a part of the city or town upon the date fixed in the
7 ordinance of annexation, which date may not be less than forty-five
8 days after adoption of the ordinance.

9 (5) The annexation ordinances provided for in RCW 35.13.470(4) and
10 subsection (4) of this section are subject to referendum for forty-five
11 days after passage. Upon the filing of a timely and sufficient
12 referendum petition with the legislative body, signed by registered
13 voters in number equal to not less than fifteen percent of the votes
14 cast in the last general state election in the area to be annexed, the
15 question of annexation shall be submitted to the voters of the area in
16 a general election if one is to be held within ninety days or at a
17 special election called for that purpose (~~(not less than forty five~~
18 ~~days nor more than ninety days after the filing of the referendum~~
19 ~~petition)) according to RCW 29A.04.330. Notice of the election shall
20 be given as provided in RCW 35.13.080 and the election shall be
21 conducted as provided in the general election law. The annexation
22 shall be deemed approved by the voters unless a majority of the votes
23 cast on the proposition are in opposition thereto.~~

24 After the expiration of the forty-fifth day from but excluding the
25 date of passage of the annexation ordinance, if no timely and
26 sufficient referendum petition has been filed, the area annexed shall
27 become a part of the city or town upon the date fixed in the ordinance
28 of annexation.

29 (6) If more than one city or town adopts interlocal agreements
30 providing for annexation of the same unincorporated territory as
31 provided by this section, an election shall be held in the area to be
32 annexed pursuant to RCW 35.13.070 and 35.13.080. In addition to the
33 provisions of RCW 35.13.070 and 35.13.080, the ballot shall also
34 contain a separate proposition allowing voters to cast votes in favor
35 of annexation to any one city or town participating in an interlocal
36 agreement as provided by this section. If a majority of voters voting
37 on the proposition vote against annexation, the proposition is
38 defeated. If, however, a majority of voters voting in the election

1 approve annexation, the area shall be annexed to the city or town
2 receiving the highest number of votes among those cast in favor of
3 annexation.

4 (7) Costs for an election required under subsection (6) of this
5 section shall be borne by the county.

6 **Sec. 24.** RCW 35.61.360 and 1987 c 138 s 2 are each amended to read
7 as follows:

8 (1) As provided in this section, a metropolitan park district may
9 withdraw areas from its boundaries, or reannex areas into the
10 metropolitan park district that previously had been withdrawn from the
11 metropolitan park district under this section.

12 (2) The withdrawal of an area shall be authorized upon: (a)
13 Adoption of a resolution by the park district commissioners requesting
14 the withdrawal and finding that, in the opinion of the commissioners,
15 inclusion of this area within the metropolitan park district will
16 result in a reduction of the district's tax levy rate under the
17 provisions of RCW 84.52.010; and (b) adoption of a resolution by the
18 city or town council approving the withdrawal, if the area is located
19 within the city or town, or adoption of a resolution by the county
20 legislative authority of the county within which the area is located
21 approving the withdrawal, if the area is located outside of a city or
22 town. A withdrawal shall be effective at the end of the day on the
23 thirty-first day of December in the year in which the resolutions are
24 adopted, but for purposes of establishing boundaries for property tax
25 purposes, the boundaries shall be established immediately upon the
26 adoption of the second resolution.

27 The withdrawal of an area from the boundaries of a metropolitan
28 park district shall not exempt any property therein from taxation for
29 the purpose of paying the costs of redeeming any indebtedness of the
30 metropolitan park district existing at the time of the withdrawal.

31 (3) An area that has been withdrawn from the boundaries of a
32 metropolitan park district under this section may be reannexed into the
33 metropolitan park district upon: (a) Adoption of a resolution by the
34 park district commissioners proposing the reannexation; and (b)
35 adoption of a resolution by the city or town council approving the
36 reannexation, if the area is located within the city or town, or
37 adoption of a resolution by the county legislative authority of the

1 county within which the area is located approving the reannexation, if
 2 the area is located outside of a city or town. The reannexation shall
 3 be effective at the end of the day on the thirty-first day of December
 4 in the year in which the adoption of the second resolution occurs, but
 5 for purposes of establishing boundaries for property tax purposes, the
 6 boundaries shall be established immediately upon the adoption of the
 7 second resolution. Referendum action on the proposed reannexation may
 8 be taken by the voters of the area proposed to be reannexed if a
 9 petition calling for a referendum is filed with the city or town
 10 council, or county legislative authority, within a thirty-day period
 11 after the adoption of the second resolution, which petition has been
 12 signed by registered voters of the area proposed to be reannexed equal
 13 in number to ten percent of the total number of the registered voters
 14 residing in that area.

15 If a valid petition signed by the requisite number of registered
 16 voters has been so filed, the effect of the resolutions shall be held
 17 in abeyance and a ballot proposition to authorize the reannexation
 18 shall be submitted to the voters of the area at the next special
 19 election date (~~(specified in RCW 29A.04.330 that occurs forty-five or~~
 20 ~~more days after the petitions have been validated))~~ according to RCW
 21 29A.04.330. Approval of the ballot proposition authorizing the
 22 reannexation by a simple majority vote shall authorize the
 23 reannexation.

24 **Sec. 25.** RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each
 25 amended to read as follows:

26 Such annexation ordinance as provided for in RCW 35A.14.297 shall
 27 be subject to referendum for forty-five days after the passage thereof.
 28 Upon the filing of a timely and sufficient referendum petition with the
 29 legislative body, signed by qualified electors in number equal to not
 30 less than ten percent of the votes cast in the last general state
 31 election in the area to be annexed, the question of annexation shall be
 32 submitted to the voters of such area in a general election if one is to
 33 be held within ninety days or at a special election called for that
 34 purpose (~~(not less than forty-five days nor more than ninety days after~~
 35 ~~the filing of the referendum petition))~~ according to RCW 29A.04.330.
 36 Notice of such election shall be given as provided in RCW 35A.14.070
 37 and the election shall be conducted as provided in RCW (~~35A.14.060~~)

1 35A.29.151. The annexation shall be deemed approved by the voters
2 unless a majority of the votes cast on the proposition are in
3 opposition thereto.

4 After the expiration of the forty-fifth day from but excluding the
5 date of passage of the annexation ordinance, if no timely and
6 sufficient referendum petition has been filed, the area annexed shall
7 become a part of the code city upon the date fixed in the ordinance of
8 annexation. From and after such date, if the ordinance so provided,
9 property in the annexed area shall be subject to the proposed zoning
10 regulation prepared and filed for such area as provided in RCW
11 35A.14.330 and 35A.14.340. If the ordinance so provided, all property
12 within the area annexed shall be assessed and taxed at the same rate
13 and on the same basis as the property of such annexing code city is
14 assessed and taxed to pay for any then outstanding indebtedness of such
15 city contracted prior to, or existing at, the date of annexation.

16 **Sec. 26.** RCW 35A.14.470 and 2003 c 299 s 4 are each amended to
17 read as follows:

18 (1) The legislative body of any county planning under chapter
19 36.70A RCW and subject to the requirements of RCW 36.70A.215 may
20 initiate an annexation process with the legislative body of any other
21 cities or towns that are contiguous to the territory proposed for
22 annexation in RCW 35A.14.460 if:

23 (a) The county legislative body initiated an annexation process as
24 provided in RCW 35A.14.460; and

25 (b) The affected city legislative body adopted a responsive
26 resolution rejecting the proposed annexation or declined to create the
27 requested interlocal agreement with the county; or

28 (c) More than one hundred eighty days have passed since adoption of
29 a county resolution as provided for in RCW 35A.14.460 and the parties
30 have not adopted or executed an interlocal agreement providing for the
31 annexation of unincorporated territory. The legislative body for
32 either the county or an affected city may, however, pass a resolution
33 extending the negotiation period for one or more six-month periods if
34 a public hearing is held and findings of fact are made prior to each
35 extension.

36 (2) Any county initiating the process provided for in subsection
37 (1) of this section must do so by adopting a resolution commencing

1 negotiations for an interlocal agreement as provided in chapter 39.34
2 RCW between the county and any city or town within the county. The
3 annexation area must be within an urban growth area designated under
4 RCW 36.70A.110 and at least sixty percent of the boundaries of the
5 territory to be annexed must be contiguous to one or more cities or
6 towns.

7 (3) The agreement shall describe the boundaries of the territory to
8 be annexed. A public hearing shall be held by each legislative body,
9 separately or jointly, before the agreement is executed. Each
10 legislative body holding a public hearing shall, separately or jointly,
11 publish the agreement at least once a week for two weeks before the
12 date of the hearing in one or more newspapers of general circulation
13 within the territory proposed for annexation.

14 (4) Following adoption and execution of the agreement by both
15 legislative bodies, the city or town legislative body shall adopt an
16 ordinance providing for the annexation. The legislative body shall
17 cause notice of the proposed effective date of the annexation, together
18 with a description of the property to be annexed, to be published at
19 least once each week for two weeks subsequent to passage of the
20 ordinance, in one or more newspapers of general circulation within the
21 city and in one or more newspapers of general circulation within the
22 territory to be annexed. If the annexation ordinance provides for
23 assumption of indebtedness or adoption of a proposed zoning regulation,
24 the notice shall include a statement of the requirements. Any area to
25 be annexed through an ordinance adopted under this section is annexed
26 and becomes a part of the city or town upon the date fixed in the
27 ordinance of annexation, which date may not be less than forty-five
28 days after adoption of the ordinance.

29 (5) The annexation ordinances provided for in RCW 35A.14.460(4) and
30 subsection (4) of this section are subject to referendum for forty-five
31 days after passage. Upon the filing of a timely and sufficient
32 referendum petition with the legislative body, signed by registered
33 voters in number equal to not less than fifteen percent of the votes
34 cast in the last general state election in the area to be annexed, the
35 question of annexation shall be submitted to the voters of the area in
36 a general election if one is to be held within ninety days or at a
37 special election called for that purpose (~~not less than forty-five~~
38 ~~days nor more than ninety days after the filing of the referendum~~

petition)) according to RCW 29A.04.330. Notice of the election shall be given as provided in RCW 35A.14.070 and the election shall be conducted as provided in the general election law. 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 ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the city or town upon the date fixed in the ordinance of annexation.

(6) If more than one city or town adopts interlocal agreements providing for annexation of the same unincorporated territory as provided by this section, an election shall be held in the area to be annexed pursuant to RCW 35A.14.070. In addition to the provisions of RCW 35A.14.070, the ballot shall also contain a separate proposition allowing voters to cast votes in favor of annexation to any one city or town participating in an interlocal agreement as provided by this section. If a majority of voters voting on the proposition vote against annexation, the proposition is defeated. If, however, a majority of voters voting in the election approve annexation, the area shall be annexed to the city or town receiving the highest number of votes among those cast in favor of annexation.

(7) Costs for an election required under subsection (6) of this section shall be borne by the county.

Sec. 27. RCW 36.24.190 and 1996 c 108 s 2 are each amended to read as follows:

In a county with a population of two hundred fifty thousand or more, the county legislative authority may, upon majority vote at an election called by the county legislative authority, adopt a system under which a medical examiner may be appointed to replace the office of the coroner. The county legislative authority must adopt a resolution or ordinance that creates the office of medical examiner at least thirty days prior to the first day of filing for the primary election for county offices. If a county adopts such a resolution or ordinance, the resolution or ordinance shall be referred to the voters for confirmation or rejection at the next date for a special election (~~that is more than forty five days from the date the resolution or~~

~~ordinance was adopted~~) according to RCW 29A.04.321. If the resolution or ordinance is approved by majority vote, no election shall be held for the position of coroner and the coroner's position is abolished following the expiration of the coroner's term of office or upon vacating of the office of the coroner for any reason. The county legislative authority shall appoint a medical examiner to assume the statutory duties performed by the county coroner and the appointment shall become effective following the expiration of the coroner's term of office or upon the vacating of the office of the coroner. To be appointed as a medical examiner pursuant to this section, a person must either be: (1) Certified as a forensic pathologist by the American board of pathology; or (2) a qualified physician eligible to take the American board of pathology exam in forensic pathology within one year of being appointed. A physician specializing in pathology who is appointed to the position of medical examiner and who is not certified as a forensic pathologist must pass the pathology exam within three years of the appointment.

Sec. 28. RCW 36.93.030 and 1991 c 363 s 91 are each amended to read as follows:

(1) There is hereby created and established in each county with a population of two hundred ten thousand or more a board to be known and designated as a "boundary review board".

(2) A boundary review board may be created and established in any other county in the following manner:

(a) The county legislative authority may, by majority vote, adopt a resolution establishing a boundary review board; or

(b) A petition seeking establishment of a boundary review board signed by qualified electors residing in the county equal in number to at least five percent of the votes cast in the county at the last county general election may be filed with the county auditor.

Upon the filing of such a petition, the county auditor shall examine the same and certify to the sufficiency of the signatures thereon. No person may withdraw his or her name from a petition after it has been filed with the auditor. Within thirty days after the filing of such petition, the county auditor shall transmit the same to the county legislative authority, together with his or her certificate of sufficiency.

1 After receipt of a valid petition for the establishment of a
2 boundary review board, the county legislative authority shall submit
3 the question of whether a boundary review board should be established
4 to the electorate at the next ((county)) primary or ((county)) general
5 election ((which occurs more than forty five days from the date of
6 receipt of the petition)) according to RCW 29A.04.321. Notice of the
7 election shall be given as provided in RCW ((29.27.080)) 29A.52.351 and
8 shall include a clear statement of the proposal to be submitted.

9 If a majority of the persons voting on the proposition shall vote
10 in favor of the establishment of the boundary review board, such board
11 shall thereupon be deemed established.

12 **Sec. 29.** RCW 42.12.040 and 2003 c 238 s 4 are each amended to read
13 as follows:

14 (1) If a vacancy occurs in any partisan elective office in the
15 executive or legislative branches of state government or in any
16 partisan county elective office before the ((sixth)) eleventh Tuesday
17 prior to the primary for the next general election following the
18 occurrence of the vacancy, a successor shall be elected to that office
19 at that general election. Except during the last year of the term of
20 office, if such a vacancy occurs on or after the ((sixth)) eleventh
21 Tuesday prior to the primary for that general election, the election of
22 the successor shall occur at the next succeeding general election. The
23 elected successor shall hold office for the remainder of the unexpired
24 term. This section shall not apply to any vacancy occurring in a
25 charter county which has charter provisions inconsistent with this
26 section.

27 (2) If a vacancy occurs in any legislative office or in any
28 partisan county office after the general election in a year that the
29 position appears on the ballot and before the start of the next term,
30 the term of the successor who is of the same party as the incumbent may
31 commence once he or she has qualified as defined in RCW ((29.01.135))
32 29A.04.133 and shall continue through the term for which he or she was
33 elected.

34 **Sec. 30.** RCW 42.17.080 and 2005 c 184 s 1 are each amended to read
35 as follows:

36 (1) On the day the treasurer is designated, each candidate or

1 political committee shall file with the commission and the county
2 auditor or elections officer of the county in which the candidate
3 resides, or in the case of a political committee, the county in which
4 the treasurer resides, in addition to any statement of organization
5 required under RCW 42.17.040 or 42.17.050, a report of all
6 contributions received and expenditures made prior to that date, if
7 any.

8 (2) At the following intervals each treasurer shall file with the
9 commission and the county auditor or elections officer of the county in
10 which the candidate resides, or in the case of a political committee,
11 the county in which the committee maintains its office or headquarters,
12 and if there is no office or headquarters then in the county in which
13 the treasurer resides, a report containing the information required by
14 RCW 42.17.090:

15 (a) On the twenty-first day and the seventh day immediately
16 preceding the date on which the election is held; and

17 (b) On the tenth day of the first month after the election((+
18 ~~PROVIDED, That this report shall not be required following a primary~~
19 ~~election from:~~

20 ~~(i) A candidate whose name will appear on the subsequent general~~
21 ~~election ballot; or~~

22 ~~(ii) Any continuing political committee)); and~~

23 (c) On the tenth day of each month in which no other reports are
24 required to be filed under this section: PROVIDED, That such report
25 shall only be filed if the committee has received a contribution or
26 made an expenditure in the preceding calendar month and either the
27 total contributions received or total expenditures made since the last
28 such report exceed two hundred dollars.

29 When there is no outstanding debt or obligation, and the campaign
30 fund is closed, and the campaign is concluded in all respects, and in
31 the case of a political committee, the committee has ceased to function
32 and has dissolved, the treasurer shall file a final report. Upon
33 submitting a final report, the duties of the treasurer shall cease and
34 there shall be no obligation to make any further reports.

35 The report filed twenty-one days before the election shall report
36 all contributions received and expenditures made as of the end of the
37 fifth business day before the date of the report. The report filed
38 seven days before the election shall report all contributions received

1 and expenditures made as of the end of the one business day before the
2 date of the report. Reports filed on the tenth day of the month shall
3 report all contributions received and expenditures made from the
4 closing date of the last report filed through the last day of the month
5 preceding the date of the current report.

6 (3) For the period beginning the first day of the fourth month
7 preceding the date on which the special (~~or general~~) election is
8 held, or for the period beginning the first day of the fifth month
9 before the date on which the general election is held, and ending on
10 the date of that special or general election, each Monday the treasurer
11 shall file with the commission and the appropriate county elections
12 officer a report of each bank deposit made during the previous seven
13 calendar days. The report shall contain the name of each person
14 contributing the funds so deposited and the amount contributed by each
15 person. However, contributions of no more than twenty-five dollars in
16 the aggregate from any one person may be deposited without identifying
17 the contributor. A copy of the report shall be retained by the
18 treasurer for his or her records. In the event of deposits made by a
19 deputy treasurer, the copy shall be forwarded to the treasurer for his
20 or her records. Each report shall be certified as correct by the
21 treasurer or deputy treasurer making the deposit.

22 (4) If a city requires that candidates or committees for city
23 offices file reports with a city agency, the candidate or treasurer so
24 filing need not also file the report with the county auditor or
25 elections officer.

26 (5) The treasurer or candidate shall maintain books of account
27 accurately reflecting all contributions and expenditures on a current
28 basis within five business days of receipt or expenditure. During the
29 eight days immediately preceding the date of the election the books of
30 account shall be kept current within one business day. As specified in
31 the committee's statement of organization filed under RCW 42.17.040,
32 the books of account must be open for public inspection by appointment
33 at the designated place for inspections between 8:00 a.m. and 8:00 p.m.
34 on any day from the eighth day immediately before the election through
35 the day immediately before the election, other than Saturday, Sunday,
36 or a legal holiday. It is a violation of this chapter for a candidate
37 or political committee to refuse to allow and keep an appointment for
38 an inspection to be conducted during these authorized times and days.

1 The appointment must be allowed at an authorized time and day for such
2 inspections that is within twenty-four hours of the time and day that
3 is requested for the inspection.

4 (6) The treasurer or candidate shall preserve books of account,
5 bills, receipts, and all other financial records of the campaign or
6 political committee for not less than five calendar years following the
7 year during which the transaction occurred.

8 (7) All reports filed pursuant to subsection (1) or (2) of this
9 section shall be certified as correct by the candidate and the
10 treasurer.

11 (8) Copies of all reports filed pursuant to this section shall be
12 readily available for public inspection for at least two consecutive
13 hours Monday through Friday, excluding legal holidays, between 8:00
14 a.m. and 8:00 p.m., as specified in the committee's statement of
15 organization filed pursuant to RCW 42.17.040, at the principal
16 headquarters or, if there is no headquarters, at the address of the
17 treasurer or such other place as may be authorized by the commission.

18 (9) After January 1, 2002, a report that is filed with the
19 commission electronically need not also be filed with the county
20 auditor or elections officer.

21 (10) The commission shall adopt administrative rules establishing
22 requirements for filer participation in any system designed and
23 implemented by the commission for the electronic filing of reports.

24 **Sec. 31.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read
25 as follows:

26 (1) During the period beginning on the thirtieth day before the
27 date a regular legislative session convenes and continuing ((~~thirty~~
28 ~~days—past~~)) through the date of final adjournment, and during the
29 period beginning on the date a special legislative session convenes and
30 continuing through the date that session adjourns, no state official or
31 a person employed by or acting on behalf of a state official or state
32 legislator may solicit or accept contributions to a public office fund,
33 to a candidate or authorized committee, or to retire a campaign debt.

34 (2) This section does not apply to activities authorized in RCW
35 43.07.370.

1 **Sec. 32.** RCW 52.02.080 and 1989 c 63 s 6 are each amended to read
2 as follows:

3 The election on the formation of the district and to elect the
4 initial fire commissioners shall be conducted by the election officials
5 of the county or counties in which the proposed district is located in
6 accordance with the general election laws of the state. This election
7 shall be held at the next general election date(~~(, as specified under~~
8 ~~RCW 29.13.020))~~ according to RCW 29A.04.321 and 29A.04.330, that occurs
9 (~~(forty-five or more days))~~ after the date of the action by the
10 boundary review board, or county legislative authority or authorities,
11 approving the proposal.

12 **Sec. 33.** RCW 52.04.056 and 1989 c 63 s 11 are each amended to read
13 as follows:

14 (1) As provided in this section, a fire protection district may
15 withdraw areas from its boundaries, or reannex areas into the fire
16 protection district that previously had been withdrawn from the fire
17 protection district under this section.

18 (2) The withdrawal of an area shall be authorized upon: (a)
19 Adoption of a resolution by the board of fire commissioners requesting
20 the withdrawal and finding that, in the opinion of the board, inclusion
21 of this area within the fire protection district will result in a
22 reduction of the district's tax levy rate under the provisions of RCW
23 84.52.010; and (b) adoption of a resolution by the city or town council
24 approving the withdrawal, if the area is located within the city or
25 town, or adoption of a resolution by the county legislative authority
26 or authorities of the county or counties within which the area is
27 located approving the withdrawal, if the area is located outside of a
28 city or town. A withdrawal shall be effective at the end of the day on
29 the thirty-first day of December in the year in which the resolutions
30 are adopted, but for purposes of establishing boundaries for property
31 tax purposes, the boundaries shall be established immediately upon the
32 adoption of the second resolution.

33 The authority of an area to be withdrawn from a fire protection
34 district as provided under this section is in addition, and not
35 subject, to the provisions of RCW 52.04.101.

36 The withdrawal of an area from the boundaries of a fire protection

1 district shall not exempt any property therein from taxation for the
2 purpose of paying the costs of redeeming any indebtedness of the fire
3 protection district existing at the time of the withdrawal.

4 (3) An area that has been withdrawn from the boundaries of a fire
5 protection district under this section may be reannexed into the fire
6 protection district upon: (a) Adoption of a resolution by the board of
7 fire commissioners proposing the reannexation; and (b) adoption of a
8 resolution by the city or town council approving the reannexation, if
9 the area is located within the city or town, or adoption of a
10 resolution by the county legislative authority or authorities of the
11 county or counties within which the area is located approving the
12 reannexation, if the area is located outside of a city or town. The
13 reannexation shall be effective at the end of the day on the thirty-
14 first day of December in the year in which the adoption of the second
15 resolution occurs, but for purposes of establishing boundaries for
16 property tax purposes, the boundaries shall be established immediately
17 upon the adoption of the second resolution. Referendum action on the
18 proposed reannexation may be taken by the voters of the area proposed
19 to be reannexed if a petition calling for a referendum is filed with
20 the city or town council, or county legislative authority or
21 authorities, within a thirty-day period after the adoption of the
22 second resolution, which petition has been signed by registered voters
23 of the area proposed to be reannexed equal in number to ten percent of
24 the total number of the registered voters residing in that area.

25 If a valid petition signed by the requisite number of registered
26 voters has been so filed, the effect of the resolutions shall be held
27 in abeyance and a ballot proposition to authorize the reannexation
28 shall be submitted to the voters of the area at the next special
29 election date (~~(specified in RCW 29.13.020 that occurs forty five or~~
30 ~~more days after the petitions have been validated))~~ according to RCW
31 29A.04.330. Approval of the ballot proposition authorizing the
32 reannexation by a simple majority vote shall authorize the
33 reannexation.

34 **Sec. 34.** RCW 52.04.071 and 1984 c 230 s 16 are each amended to
35 read as follows:

36 The county legislative authority or authorities shall by resolution
37 call a special election to be held in the city or town and in the fire

1 protection district at the next date (~~provided in RCW 29.13.010 but~~
 2 ~~not less than forty five days from the date of the declaration of the~~
 3 ~~finding)) according to RCW 29A.04.321, and shall cause notice of the~~
 4 election to be given as provided for in RCW (~~29.27.080~~) 29A.52.351.

5 The election on the annexation of the city or town into the fire
 6 protection district shall be conducted by the auditor of the county or
 7 counties in which the city or town and the fire protection district are
 8 located in accordance with the general election laws of the state. The
 9 results thereof shall be canvassed by the canvassing board of the
 10 county or counties. No person is entitled to vote at the election
 11 unless he or she is a qualified elector in the city or town or unless
 12 he or she is a qualified elector within the boundaries of the fire
 13 protection district. The ballot proposition shall be in substantially
 14 the following form:

15 "Shall the city or town of be annexed to and be a part
 16 of fire protection district?

17 YES

18 NO "

19 If a majority of the persons voting on the proposition in the city
 20 or town and a majority of the persons voting on the proposition in the
 21 fire protection district vote in favor thereof, the city or town shall
 22 be annexed and shall be a part of the fire protection district.

23 **Sec. 35.** RCW 53.04.110 and 1998 c 240 s 1 are each amended to read
 24 as follows:

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

29 (1) On presentation(~~(, at least forty five days before any general~~
 30 ~~port election to be held in the port district,))~~ of a petition to the
 31 commissioners of any port district now existing or which may hereafter
 32 be established under the laws of the state of Washington, signed by at
 33 least ten percent of the total number of voters of the port district
 34 who voted at the last general port election and asking that the
 35 corporate name of the port district be changed, it shall be the duty of
 36 the commissioners to submit to the voters of the port district the

1 proposition as to whether the corporate name of the port shall be
 2 changed. The proposition shall be submitted at the next general port
 3 election according to RCW 29A.04.330.

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

7 (3) On submitting the proposition to the voters of the port
 8 district it shall be the duty of the port commissioners to cause to be
 9 printed on the official ballot used at the election the following
 10 proposition:

11 "Shall the corporate name, 'Port of.....' be
 12 changed to 'Port of.....'..... YES
 13 "Shall the corporate name, 'Port of.....' be
 14 changed to 'Port of.....'.....NO"

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

19 (5) Should a majority of the registered voters of the port district
 20 voting at the general port election vote in favor of the proposition it
 21 shall be the duty of the port commissioners to certify the fact to the
 22 auditor of the county in which the port district shall be situated and
 23 to the secretary of state of the state of Washington, under the seal of
 24 the port district. On and after the filing of the certificate with the
 25 county auditor as aforesaid and with the secretary of state of the
 26 state of Washington, the corporate name of the port district shall be
 27 changed, and thenceforth the port district shall be known and
 28 designated in accordance therewith.

29 **Sec. 36.** RCW 54.08.010 and 1985 c 469 s 55 are each amended to
 30 read as follows:

31 At any general election held in an even-numbered year, the county
 32 legislative authority of any county in this state may, or, on petition
 33 of ten percent of the qualified electors of the county based on the
 34 total vote cast in the last general county election held in an even-
 35 numbered year, shall, by resolution, submit to the voters of the county
 36 the proposition of creating a public utility district which shall be

coextensive with the limits of the county as now or hereafter established. A form of petition for the creation of a public utility district shall be submitted to the county auditor within ten months prior to the election at which the proposition is to be submitted to the voters. Petitions shall be filed with the county auditor not less than four months before the election and the county auditor shall within thirty days examine the signatures thereof and certify to the sufficiency or insufficiency thereof. If the 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 certificate thereto. No person having signed the petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor: PROVIDED, That each signature shall be dated and that no signature dated prior to the date on which the form of petition was submitted to the county auditor shall be valid. Whenever the petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the county legislative authority which shall submit the proposition to the voters of the county at the next general election in an even-numbered year (~~(occurring forty five days after submission of the proposition to the legislative authority)~~) according to RCW 29A.04.330. The notice of the election shall state the boundaries of the proposed public utility district and the object of such election, and shall in other respects conform to the requirements of the general laws of the state of Washington, governing the time and manner of holding elections. In submitting the question to the voters for their approval or rejection, the proposition shall be expressed on the ballot substantially in the following terms:

Public Utility District No. YES ☐

Public Utility District No. NO ☐

Any petition for the formation of a public utility district may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed the county legislative authority shall fix a date for a hearing on such petition, and shall publish the petition,

1 without the signatures thereto appended, for two weeks prior to the
2 date of the hearing, together with a notice stating the time of the
3 meeting when the petition will be heard. The publication, and all
4 other publications required by chapter 1, Laws of 1931, shall be in a
5 newspaper of general circulation in the county in which the district is
6 situated. The hearing on the petition may be adjourned from time to
7 time, not exceeding four weeks in all. If upon the final hearing the
8 county legislative authority shall find that any lands have been
9 unjustly or improperly included within the proposed public utility
10 district and will not be benefited by inclusion therein, it shall
11 change and fix the boundary lines in such manner as it shall deem
12 reasonable and just and conducive to the public welfare and
13 convenience, and make and enter an order establishing and defining the
14 boundary lines of the proposed public utility district: PROVIDED, That
15 no lands shall be included within the boundaries so fixed lying outside
16 the boundaries described in the petition, except upon the written
17 request of the owners of those lands. Thereafter the same procedure
18 shall be followed as prescribed in this chapter for the formation of a
19 public utility district including an entire county, except that the
20 petition and election shall be confined solely to the lesser public
21 utility district.

22 No public utility district created after September 1, 1979, shall
23 include any other public utility district within its boundaries:
24 PROVIDED, That this paragraph shall not alter, amend, or modify
25 provisions of chapter 54.32 RCW.

26 **Sec. 37.** RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended
27 to read as follows:

28 Any district which does not own or operate electric facilities for
29 the generation, transmission or distribution of electric power on March
30 25, 1969, or any district which hereafter does not construct or acquire
31 such electric facilities within ten years of its creation, shall not
32 construct or acquire any such electric facilities without the approval
33 of such proposal by the voters of such district: PROVIDED, That a
34 district shall have the power to construct or acquire electric
35 facilities within ten years following its creation by action of its
36 commission without voter approval of such action.

At any general election held in an even-numbered year, the proposal to construct or acquire electric facilities may be submitted to the voters of the district by resolution of the public utility district commission or shall be submitted to the voters of the district by the county legislative authority on petition of ten percent of the qualified electors of such district, based on the total vote cast in the last general county election held in an even-numbered year. A form of petition for the construction or acquisition of electric facilities by the public utility district shall be submitted to the county auditor within ten months prior to the election at which such proposition is to be submitted to the voters. Petitions shall be filed with the county auditor not less than four months before such election and the county auditor shall within thirty days examine the signatures thereof and certify to the sufficiency or insufficiency thereof. If such petition is found to be insufficient, it shall be returned to the persons filing the same, who may amend and 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 certificate thereto. No person having signed such petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor: PROVIDED, That each signature shall be dated and that no signature dated prior to the date on which the form of petition was submitted to the county auditor shall be valid. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the county legislative authority which shall submit such proposition to the voters of said district at the next general election in an even-numbered year (~~occurring forty five days after submission of the proposition to said legislative authority~~) according to RCW 29A.04.330. The notice of the election shall state the object of such election, and shall in other respects conform to the requirements of the general laws of Washington, governing the time and manner of holding elections.

The proposal submitted to the voters for their approval or rejection, shall be expressed on the ballot substantially in the following terms:

Shall Public Utility District No. of County

construct or acquire electric facilities for the generation,
transmission or distribution of electric power?

Yes ☐ No ☐

Within ten days after such election, the election board of the county shall canvass the returns, and if at such election a majority of the voters voting on such proposition shall vote in favor of such construction or acquisition of electric facilities, the district shall be authorized to construct or acquire electric facilities.

Sec. 38. RCW 57.04.050 and 1999 c 153 s 1 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 will benefit the land therein, they shall present a resolution to the county auditor calling for a special election to be held at a date (~~(specified under RCW 29.13.020, that occurs forty five or more days after the resolution is presented)~~) according to RCW 29A.04.330, at which a ballot proposition authorizing the district to be created shall be submitted to voters for their approval or rejection. 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 ten days in ten public places in the proposed district. The district shall be created if the ballot proposition authorizing the district to be created is approved by a majority of the voters voting on the proposition.

A separate ballot proposition authorizing the district, if created, to impose a single-year excess levy for the preliminary expenses of the district shall be submitted to voters for their approval or rejection at the same special election, if the petition to create the district also proposed that a ballot proposition authorizing an excess levy be submitted to voters for their approval or rejection. The excess levy shall be proposed 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, and may only be submitted to voters for

1 their approval or rejection if the special election is held in
2 February, March, April, or May. The proposition to be effective must
3 be approved in the manner set forth in Article VII, section 2(a) of the
4 state Constitution.

5 **Sec. 39.** RCW 70.44.235 and 1987 c 138 s 4 are each amended to read
6 as follows:

7 (1) As provided in this section, a public hospital district may
8 withdraw areas from its boundaries, or reannex areas into the public
9 hospital district that previously had been withdrawn from the public
10 hospital district under this section.

11 (2) The withdrawal of an area shall be authorized upon: (a)
12 Adoption of a resolution by the hospital district commissioners
13 requesting the withdrawal and finding that, in the opinion of the
14 commissioners, inclusion of this area within the public hospital
15 district will result in a reduction of the district's tax levy rate
16 under the provisions of RCW 84.52.010; and (b) adoption of a resolution
17 by the city or town council approving the withdrawal, if the area is
18 located within the city or town, or adoption of a resolution by the
19 county legislative authority of the county within which the area is
20 located approving the withdrawal, if the area is located outside of a
21 city or town. A withdrawal shall be effective at the end of the day on
22 the thirty-first day of December in the year in which the resolutions
23 are adopted, but for purposes of establishing boundaries for property
24 tax purposes, the boundaries shall be established immediately upon the
25 adoption of the second resolution.

26 The withdrawal of an area from the boundaries of a public hospital
27 district shall not exempt any property therein from taxation for the
28 purpose of paying the costs of redeeming any indebtedness of the public
29 hospital district existing at the time of the withdrawal.

30 (3) An area that has been withdrawn from the boundaries of a public
31 hospital district under this section may be reannexed into the public
32 hospital district upon: (a) Adoption of a resolution by the hospital
33 district commissioners proposing the reannexation; and (b) adoption of
34 a resolution by the city or town council approving the reannexation, if
35 the area is located within the city or town, or adoption of a
36 resolution by the county legislative authority of the county within
37 which the area is located approving the reannexation, if the area is

located outside of a city or town. The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date (~~(specified in RCW 29A.04.020 that occurs forty-five or more days after the petitions have been validated)~~) according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

NEW SECTION. Sec. 40. RCW 29A.04.158 (September primary) and 2004 c 271 s 187 are each repealed.

NEW SECTION. Sec. 41. Sections 1 through 16 and 18 through 40 of this act take effect January 1, 2007.

NEW SECTION. Sec. 42. Section 16 of this act expires July 1, 2013.

NEW SECTION. Sec. 43. Section 17 of this act takes effect July 1, 2013.

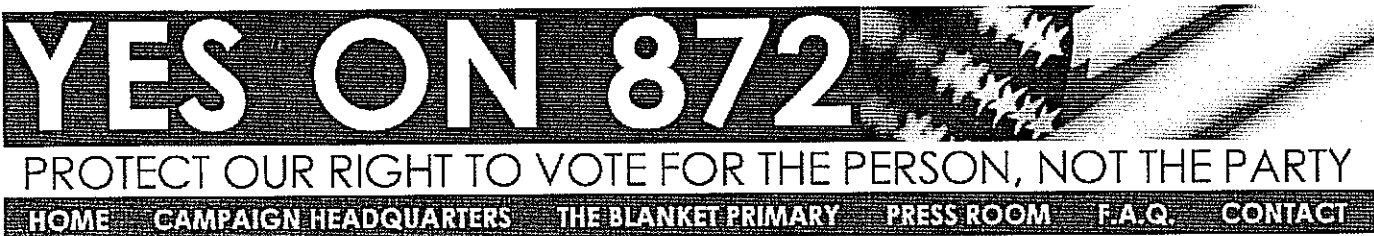
Passed by the Senate February 1, 2006.

Passed by the House March 1, 2006.

Approved by the Governor March 30, 2006.

Filed in Office of Secretary of State March 30, 2006.

EXHIBIT 6



NEWS RELEASE

April 1, 2004

For immediate release

GRANGE LAUNCHES "PEOPLE'S CHOICE" INITIATIVE CAMPAIGN IN RESPONSE TO GOVERNOR'S VETO

The Washington State Grange announced today that it is now collecting signatures for I-872 (the "People's Choice" initiative) to run on the November ballot.

The initiative will institute a "modified" blanket primary system (also known as a qualifying primary) in which voters will not be restricted to choosing among the candidates of only one party in a primary election. Voters will also not be required to declare party affiliation when registering.

The initiative would implement a "top-two" system in which the two top vote-getters in a primary election advance to the general election, regardless of party.

"Our initiative will put a system in place which looks almost identical to the blanket primary system we've been using for nearly 70 years," said Grange President Terry Hunt. "The only difference is that this system will satisfy the constitutional requirements set forth by the courts."

The campaign was launched in response to Gov. Locke's partial veto of Engrossed Senate Bill 6453, which was passed by the legislature last month. The bill would have put a top-two system in place, which would then revert to a Montana-style system in the event that legal challenges by the political parties resulted in a successful ruling.

However, the Gov. Locke vetoed the "top-two" system out of the bill, leaving only the Montana-style system in its place. Under this system, voters are required to choose a ballot from only one party at a primary election.

"The Governor defied the will of the voters, and he defied the will of the legislators elected to represent those voters," said Hunt. "By changing the intent of the bill, he will have to face not only our initiative campaign, but a law suit by the Grange as well. He simply can't veto the qualifying primary out of a bill that is titled 'Enacting a Qualifying Primary.'"

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For more information, contact David Burr, Communications Director, (360) 943-9911.

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Sponsored by the [Washington State Grange](#)

EXHIBIT 7

John White

From: Blinn, Katie [kblinn@secstate.wa.gov]
Sent: Wednesday, April 16, 2008 10:48 AM
To: John White
Subject: FW: Draft Rules on Top Two Primary
Attachments: Summary 4-16-08.pdf; Top Two draft rules 4-16-08.pdf; Draft Declaration of Candidacy.pdf; PCO Declaration of Candidacy.pdf

From: Blinn, Katie
Sent: Wednesday, April 16, 2008 10:41 AM
To: Allen Hayward; Barbara Seitle; Benjamin Lawver; Christine Mrak; Cindy Calderon (calderon.cindy@leg.wa.gov); Colleen Kerr; David Anderson; David Jamieson; David Lord; David T. McDonald; Deb Eddy; Debra Gurtler; Dwight Pelz; Evelyn Spenser; Even, Jeff; Evergreen Freedom Foundation; Heather Lewis-Lechner; James Johann; Jami Lund (Lund.Jami@leg.wa.gov); Jason Osgood; Jennifer Shaw; John J. White Jr.; Keith Buchholz; Kelly Haughton; Larry Helm; Linda Herod; M. Slater; Marian Beddill; Marsha Reilly; Michelle Stender; Permanent Offense; Rachael Meyers; Rebecca Engrav; Richard Shepard; Ryan McBrayer; Sally Andrews; Scott Dahlman; Sharon Swanson (Swanson.Sharon@leg.wa.gov); Tim Borders; Tim Eyman; Tim White; Tracey Taylor; Washington State Republican Party; Don Whiting (whitingdon@comcast.net); Fraser, Kristen; Kate Riley (kriley@seattletimes.com); Marnie Hart (MarnieH@ATG.WA.GOV); Pharris, James; Sharon Gilpin (sharon@soundds1.com); Steve Jones (jones.steve@leg.wa.gov); Tom Ahearne (ahearne@foster.com)
Cc: Deutsch, Joanie; Heffernan, Trova
Subject: Draft Rules on Top Two Primary

The Office of the Secretary of State is circulating a draft of the administrative rules to implement I-872, the Top Two Primary. Attached, please find:

1. A Summary of the Draft Rules
2. The Draft Rules
3. The Declaration of Candidacy for Public Office
4. The Declaration of Candidacy for PCO

You can also find these documents posted on our website at: <http://www.secstate.wa.gov/elections/rulemaking.aspx>

Comments on the draft rules may be submitted by email to kblinn@secstate.wa.gov by close of business on Tuesday, April 22, 2008.

These rules do not address the election of Precinct Committee Officer because that position is not subject to I-872.

Thank you and have a good day.

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
kblinn@secstate.wa.gov
(360) 902-4168