

5781-S

Sponsor(s): Senate Committee on Government Operations (originally sponsored by Senators McCaslin, Haugen, Morton, Rasmussen, Anderson, Swecker and Schow)

Brief Title: Requiring voter approval of city assumption of water or sewer systems.

SB 5781-S - DIGEST

(DIGEST AS PASSED LEGISLATURE)

Provides that a city may either: (1) Assume by ordinance the full and complete management and control of that portion of the entire district that is contiguous to the city and not included within another city, if the district voters of such an area approve a ballot proposition authorizing the assumption requested by the city, submitted to these voters by the board of commissioners of the district. The provisions of RCW 35.13A.020 shall be operative if the city proceeds under this subsection and any rates that are charged for service outside of the city shall be reasonable to all parties. However, the district shall not be disincorporated unless the city assumes the responsibility to serve all of the customers of the district, together with all of the district's property, facilities, and equipment; or

(2) the city may proceed directly under the provisions of RCW 35.13A.050.

VETO MESSAGE ON SB 5781-S

May 20, 1997

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5781 entitled:

"AN ACT Relating to voter approval of city assumption of a water or sewer district;"

The intent of Substitute Senate Bill No. 5781 is to require a vote of approval by the citizens of a special purpose district, prior to a city proceeding with assumed jurisdiction of a sewer or water district. While the amendatory language provides for this opportunity, it is not clear as to which citizens of the water or sewer territory would be entitled to vote on such a ballot proposition. Furthermore, this legislation fails to establish the procedure for carrying out the election, and, as such, is at odds with established election processes.

Other language contained in this legislation is ambiguous and vague, and conflicts with existing statutes. The possibility of various interpretations of what the language means would be troublesome and frustrating to citizens interested in sewer and water district assumptions. Citizens would be better served by introducing a new bill in the 1998 legislative session that is acceptable to all interested parties. I have directed my staff to

work with interested parties in an effort to develop workable legislation for the 1998 legislative session.

For these reasons, I have vetoed Substitute Senate Bill No. 5781 in its entirety.

Respectfully submitted,
Gary Locke
Governor