

---

**SUBSTITUTE HOUSE BILL 2384**

---

**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Schindler, Romero, Cooper, Sump, Kristiansen, Linville, Pearson, G. Simpson, Cox, O'Brien, Chase, Roach, Miloscia, Mielke, Boldt and Ormsby)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to city assumption of water-sewer districts; adding  
2 a new section to chapter 35.13A RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.13A RCW  
5 to read as follows:

6 (1) A city may not assume, under this chapter, the jurisdiction of  
7 all or part of a water-sewer district serving a population greater than  
8 one thousand residents and containing, within its boundaries, the  
9 territory of two or more cities, or one city and unincorporated  
10 territory, unless voters of the entire water-sewer district approve a  
11 ballot proposition authorizing the assumption under general election  
12 law. The cost of the election shall be borne by the city seeking  
13 approval to assume jurisdiction of a water-sewer district.

14 (2) A city or town may assume jurisdiction over a water-sewer  
15 district located within its boundaries without seeking approval of the  
16 voters, as required under subsection (1) of this section, if the board  
17 of commissioners of the water-sewer district consent to the assumption  
18 of jurisdiction by the city or town. The feasibility study required

1 under subsection (3) of this section is not required if the board of  
2 commissioners of the water-sewer district consents to the assumption of  
3 jurisdiction by the city or town.

4 (3) Following the passage of a resolution by a city or town to  
5 assume all or part of a special purpose water-sewer district under this  
6 chapter, a feasibility study of such assumption shall be conducted,  
7 unless the board of commissioners of the water-sewer district consent  
8 to the assumption of jurisdiction by the city or town as provided under  
9 subsection (2) of this section. The study will be jointly and equally  
10 funded by the city and the district through a mutually agreed contract  
11 with a qualified independent consultant with professional expertise  
12 involving public water and sewer systems. The study shall address the  
13 impact of the proposed assumption on both the city and district.  
14 Issues to be considered shall be mutually agreed to by the city and the  
15 district and shall include, but not be limited to, engineering and  
16 operational impacts, costs of the assumption to the city and the  
17 district including potential impacts on future water-sewer rates, bond  
18 ratings and future borrowing costs, status of existing water rights,  
19 and other issues jointly agreed to. The findings of the joint study  
20 shall be presented as a public record that is available to the  
21 registered voters of the district, both within and without the boundary  
22 of the city conducting the assumption, prior to a vote on the proposed  
23 assumption by all the voters in the district. The study shall be  
24 completed within six months of the passage of the resolution to assume  
25 the district. No vote shall take place until such study has been  
26 completed and the results have been made available to the registered  
27 voters of the district.

28 (4) This section is applicable to assumptions of jurisdiction of  
29 water-sewer districts by cities or towns that have been initiated prior  
30 to the effective date of this act and which are pending as of that  
31 date, as well as those assumptions of jurisdiction that are initiated  
32 on or after the effective date of this act.

33 (5) Once the voters in a water-sewer district have made the  
34 decision to approve or disapprove an assumption through the ballot  
35 proposition process required under subsection (1) of this section, a  
36 boundary review board does not have jurisdiction, under chapter 36.93  
37 RCW, to conduct a review of such assumption where the attempted or  
38 completed assumption involves not more than one city.

1        NEW SECTION.   **Sec. 2.**   This act is necessary for the immediate  
2   preservation of the public peace, health, or safety, or support of the  
3   state government and its existing public institutions, and takes effect  
4   immediately.

--- END ---