
SUBSTITUTE HOUSE BILL 1230

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Upthegrove, Schindler, Simpson and Schual-Berke)

READ FIRST TIME 02/15/05.

1 AN ACT Relating to boards of commissioners of water-sewer
2 districts; amending RCW 57.12.015; and adding a new section to chapter
3 57.12 RCW.

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

5 **Sec. 1.** RCW 57.12.015 and 2001 c 63 s 2 are each amended to read
6 as follows:

7 (1)(a) In the event a three-member board of commissioners of any
8 district with any number of customers determines by resolution that it
9 would be in the best interest of the district to increase the number of
10 commissioners from three to five, or if the board of a district with
11 any number of customers is presented with a petition signed by ten
12 percent of the registered voters resident within the district who voted
13 in the last general municipal election calling for an increase in the
14 number of commissioners of the district, the board shall, within ninety
15 days of adopting a resolution calling for an increase in the number of
16 commissioners, or within ninety days of a petition being certified as
17 sufficient, submit a resolution to the county auditor requesting that
18 an election be held.

1 (b) If the adopted resolution requesting an election is submitted
2 to the county auditor at least thirty days prior to the commencement of
3 candidate filing as provided by RCW 29A.24.050, the auditor shall place
4 the proposition on the next general election ballot. If the resolution
5 is submitted to the county auditor fewer than thirty days before the
6 commencement of candidate filing, during candidate filing, or after the
7 conclusion of candidate filing, the auditor must place the proposition
8 on the general election ballot in the following year.

9 (c) Upon receipt of the resolution, and in accordance with the
10 provisions of this subsection (1), the county auditor shall call ((a
11 special)) an election to be held within the district, at which election
12 a proposition in substantially the following language shall be
13 submitted to the voters:

14 Shall the Board of Commissioners of _____ (name and/or number of
15 district)_____ be increased from three to five members?

16 Yes

17 No

18 If the proposition receives a majority approval at the election the
19 board of commissioners of the district shall be increased to five
20 members.

21 (2)(a) In any district with more than ten thousand customers, if a
22 three-member board of commissioners determines by resolution that it
23 would be in the best interest of the district to increase the number of
24 commissioners from three to five, the number of commissioners shall be
25 so increased without an election, unless within ninety days of adoption
26 of that resolution a petition requesting an election and signed by at
27 least ten percent of the registered voters who voted in the last
28 municipal general election is filed with the board. If such a petition
29 is received, the board shall, within ninety days of a petition being
30 certified as sufficient, submit the resolution and the petition to the
31 county auditor, who shall call ((a-special)) an election in the manner
32 described in this section.

33 (b) If the adopted resolution and a petition requesting an election
34 are submitted to the county auditor at least thirty days prior to the
35 commencement of candidate filing as provided by RCW 29A.24.050, the
36 auditor shall place the proposition on the next general election
37 ballot. If the resolution and petition are submitted to the county
38 auditor fewer than thirty days before the commencement of candidate

1 filing, during candidate filing, or after the conclusion of candidate
2 filing, the auditor must place the proposition on the general election
3 ballot in the following year.

4 (3)(a)(i) In any district with more than twenty-five thousand
5 customers, if a five-member board of commissioners determines by
6 resolution that it would be in the best interest of the district to
7 increase the number of commissioners from five to seven, the number of
8 commissioners may be so increased without an election, unless within
9 ninety days of adoption of that resolution a petition requesting an
10 election and signed by at least ten percent of the registered voters
11 who voted in the last municipal general election is filed with the
12 board. If such a petition is received, the board shall, within ninety
13 days of a petition being certified as sufficient, submit the resolution
14 and the petition to the county auditor, who shall call ~~((a special))~~ an
15 election in the manner described in this section.

16 (ii) If the adopted resolution and a petition requesting an
17 election are submitted to the county auditor at least thirty days prior
18 to the commencement of candidate filing as provided by RCW 29A.24.050,
19 the auditor shall place the proposition on the next general election
20 ballot. If the resolution and petition are submitted to the county
21 auditor fewer than thirty days before the commencement of candidate
22 filing, during candidate filing, or after the conclusion of candidate
23 filing, the auditor must place the proposition on the general election
24 ballot in the following year.

25 (b)(i) In the event a five-member board of commissioners of any
26 district with more than twenty-five thousand customers determines by
27 resolution that it would be in the best interest of the district to
28 increase the number of commissioners from five to seven, the board may
29 submit a resolution to the county auditor requesting that an election
30 be held.

31 (ii) If the adopted resolution requesting an election is submitted
32 to the county auditor at least thirty days prior to the commencement of
33 candidate filing as provided by RCW 29A.24.050, the auditor shall place
34 the proposition on the next general election ballot. If the resolution
35 is submitted to the county auditor fewer than thirty days before the
36 commencement of candidate filing, during candidate filing, or after the
37 conclusion of candidate filing, the auditor must place the proposition
38 on the general election ballot in the following year.

1 (c) Upon receipt of the resolution, and in accordance with the
2 provisions of this subsection (3), the county auditor shall call ((a
3 ~~special~~) an election to be held within the district, at which election
4 a proposition in substantially the following language shall be
5 submitted to the voters:

6 Shall the Board of Commissioners of _____ (name and/or number of
7 district) be increased from five to seven members?

8 Yes

9 No

10 If the proposition receives a majority approval at the election the
11 board of commissioners of the district shall be increased to seven
12 members.

13 (4) The two additional positions created on boards of commissioners
14 by this section shall be filled initially as for a vacancy, except that
15 the appointees shall draw lots, one appointee to serve until the next
16 district general election after the appointment, at which two
17 commissioners shall be elected for six-year terms, and the other
18 appointee to serve until the second district general election after the
19 appointment, at which two commissioners shall be elected for six-year
20 terms.

21 NEW SECTION. Sec. 2. A new section is added to chapter 57.12 RCW
22 to read as follows:

23 Whenever in this chapter petitions requiring the signatures of
24 registered voters are submitted to boards of commissioners, the
25 following rules shall govern the sufficiency determination process:

26 (1) Determinations of petition sufficiency or insufficiency shall
27 be made in accordance with this chapter and only by a county auditor;

28 (2) Within thirty days of a board of commissioners receiving a
29 petition, the petition shall be transmitted to the auditor of the
30 county in which all or the major geographic portion of the district is
31 located, who shall, within thirty days, certify the sufficiency or
32 insufficiency of the signatures. If the petition is found to contain
33 a sufficient number of valid signatures, the petition, together with a
34 certificate of sufficiency attached thereto, shall be transmitted to
35 the board of commissioners; and

36 (3) If the district is located in more than one county, the auditor
37 of the county in which the largest geographic portion of the district

1 is located shall be the lead auditor and shall immediately transfer a
2 copy of the petition to the auditor of each other county in which the
3 district is located. Within thirty days after the lead auditor
4 receives the petition from the district, the auditor of each other
5 county shall certify to the lead auditor: (a) The number of voters of
6 that county residing in the district who voted at the last municipal
7 general election; and (b) the number of valid signatures on the
8 petition of voters of that county residing in the district. If, after
9 receiving this information, the petition is found by the lead auditor
10 to contain a sufficient number of valid signatures, the petition,
11 together with a certificate of sufficiency attached thereto, shall be
12 transmitted to the board of commissioners.

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