
Local Government Committee

SSB 5674

Brief Description: Authorizing registered voters who reside outside of, but own land in, a water district to be elected as a water district commissioner.

Sponsors: Senators Haugen, Fairley and Kline.

Brief Summary of Bill
<ul style="list-style-type: none">Allows a qualified elector meeting land ownership requirements to file and serve as a water-sewer district commissioner in a district with fewer than 100 residents if a void in candidacy occurs.

Hearing Date:

Staff: Ethan Moreno (786-7386).

Background:

Water-Sewer Districts

Water-sewer district (districts) are authorized to purchase, construct, maintain, and supply waterworks to furnish an ample supply of water to inhabitants within and outside of a district. Districts have full authority to regulate and control the use, content, distribution, and price of supplied water in a manner consistent with legal provisions.

Districts are governed by nonpartisan boards of commissioners (boards) consisting of three, five, or seven members who serve six-year terms. In accordance with statutory provisions, boards must, by resolution, adopt rules governing the transaction of their business.

Candidate Filing and Related Provisions

Statute prescribes different requirements and methods pertaining to persons choosing to file a declaration of candidacy for an elective office with a filing officer. For example, a person filing a declaration of candidacy for a district commissioner position must, at the time of filing, be a registered voter and reside within the district. The officer with whom the declarations are filed is responsible for reviewing each declaration for compliance with filing criteria.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A void in candidacy for a nonpartisan office generally occurs when an election for an office has been scheduled and no valid declaration of candidacy has been filed for the position, or all persons filing valid declarations of candidacy have died or been disqualified.

Subject to legal requirements, filing periods for nonpartisan offices must be reopened by the appropriate elections official for three business days when an elective position lacks a candidate. If a void in candidacy occurs before the eleventh Tuesday before a primary, a candidacy that is validly filed within the three-day period must appear on the ballot as if made during the earlier filing period. If a void in candidacy occurs on or after the eleventh Tuesday before a primary, but prior to the eleventh Tuesday before an election, the candidate receiving a plurality of the votes cast for that office in the general election is elected.

"Registered voter" means any elector who has completed the registration procedures prescribed by statute. The terms "registered voter" and "qualified elector" are synonymous.

Summary of Bill:

New candidate filing provisions for water-sewer districts are established. Any person who is a qualified elector who also holds title or evidence of title to land in the district may file as a candidate and serve as a commissioner for that district if:

- the district has fewer than 100 residents; and
- the filing period is reopened under certain elections requirements due to a void in candidacy.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.