S-1608.1

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**SUBSTITUTE SENATE BILL 5048**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Government Operations & Security (originally sponsored by Senators Chase, Roach, Hatfield, and Miloscia)

AN ACT Relating to the referendum of assumptions of water-sewer districts by cities and towns; and adding a new section to chapter 35.13A RCW.

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

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

(1) A resolution or ordinance adopted by the legislative body of a city to assume jurisdiction of all or part of a water-sewer district under this chapter is subject to a referendum. If a city has adopted a resolution or ordinance to assume jurisdiction of all or part of a water-sewer district under this chapter on or after January 1, 2014, the city shall adopt a resolution or ordinance confirming the assumption, which must be treated in the same manner as a resolution or ordinance to assume jurisdiction of all or part of a water-sewer district and is subject to a referendum as described in this section. Any referendum petition to repeal the assumption resolution or ordinance must be filed with the county auditor within ten days of passage of the ordinance. Within ten days of the filing of a petition, the county auditor must confer with the petitioner concerning the form and style of the petition, issue an identification number for the petition, and write a ballot title for the measure. The ballot title must be posed as a question so that an affirmative answer to the question and an affirmative vote on the measure results in approval of the proposed assumption and a negative answer to the question and a negative vote on the measure results in the assumption being barred. The petitioner must be notified of the identification number and ballot title within this ten-day period. After this notification, the petitioner has ninety days in which to secure on petition forms the signatures of at least ten percent of the number of voters residing within the boundaries of the water-sewer district who voted in the last general election and file the signed petitions with the county auditor. Each petition form must contain the ballot title and full text of the measure to be referred. The county auditor must verify the sufficiency of the signatures on the petitions.

(2) If sufficient valid signatures on the petitions are properly submitted, the county auditor must submit the referendum measure to the registered voters residing in the area of the water-sewer district to be assumed under the ordinance or resolution in a general or special election no later than one hundred twenty days after the signed petition has been filed with the county auditor. Elections must be conducted in accordance with general election law, and the cost of the election must be borne by the city seeking approval to assume jurisdiction of the water-sewer district. The city must produce a local voters' pamphlet as provided in RCW 29A.32.210 through 29A.32.280.

(3) When a referendum petition is filed with the county auditor, the assumption resolution or ordinance sought to be referred to the voters and any proceedings before a boundary review board under chapter 36.93 RCW are suspended from taking effect. Such suspension terminates when: (a) There is a final determination of insufficiency or untimeliness of the referendum petition; or (b) the assumption resolution or ordinance so referred is approved by the voters at a referendum election.

(4) The provisions of this section do not apply when a city and a district, through their legislative authorities, authorize a contract or interlocal agreement for the assumption of all or part of a district.

**--- END ---**