

ESSB 5048 - H COMM AMD
By Committee on Local Government

ADOPTED AS AMENDED 4/13/2015

1 Strike everything after the enacting clause and insert the
2 following:

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

5 (1) Except as provided otherwise by subsection (4) of this
6 section, a resolution or ordinance adopted by the legislative body of
7 a city to assume jurisdiction of all or part of a water-sewer
8 district under this chapter is subject to a referendum. Any
9 referendum petition to repeal the assumption resolution or ordinance
10 must be filed with the county auditor within ten days of passage of
11 the resolution or ordinance. Within ten days of the filing of a
12 petition, the county auditor must confer with the petitioner
13 concerning the form and style of the petition, issue an
14 identification number for the petition, and write a ballot title for
15 the measure. The ballot title must be posed as a question so that an
16 affirmative answer to the question and a majority affirmative vote on
17 the measure results in approval of the proposed assumption, and a
18 negative answer to the question and a majority negative vote on the
19 measure results in the assumption being barred. The petitioner must
20 be notified of the identification number and ballot title within this
21 ten-day period. After this notification, the petitioner has forty-
22 five days in which to secure on petition forms the signatures of at
23 least ten percent of the number of voters residing in the part of the
24 water-sewer district subject to the assumption resolution or
25 ordinance who voted in the most recent general election, and file the
26 signed petitions with the county auditor. Each petition form must
27 contain the ballot title and full text of the measure to be referred.
28 The county auditor must verify the sufficiency of the signatures on
29 the petitions.

30 (2) If sufficient valid signatures on the petitions are properly
31 submitted, the county auditor must submit the referendum measure to
32 the registered voters residing in the part of the water-sewer
33 district subject to the assumption resolution or ordinance in a

1 general or special election no later than one hundred twenty days
2 after the signed petition has been filed with the county auditor.
3 Elections must be conducted in accordance with general election law,
4 and the cost of the election must be borne by the city seeking
5 approval to assume jurisdiction of all or part of the water-sewer
6 district.

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

15 (4) If a city legislative authority assumes jurisdiction of all
16 or part of a water-sewer district through a contract with a water-
17 sewer district, or through an interlocal agreement with a water-sewer
18 district under chapter 39.34 RCW, the provisions of this section do
19 not apply.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.13A
21 RCW to read as follows:

22 A resolution or ordinance adopted by a city in accordance with
23 this chapter to assume jurisdiction of all or part of a district may
24 not take effect until ninety or more days after its adoption."

25 Correct the title.

EFFECT: (1) Removes a provision requiring a city that has adopted
a resolution or ordinance to assume all or part of a water-sewer
district on or after January 1, 2014, to adopt a new ordinance or
resolution, which would be subject to referendum under the bill,
confirming the assumption.

(2) Removes a provision requiring an assuming city to produce a
local voters' pamphlet.

(3) Specifies that city resolutions or ordinances to assume
jurisdiction of all or part of a water-sewer district may not take
effect until 90 or more days (rather than 45 or more days) after
their adoption.

(4) Makes a technical change to specify that the cost of a
referendum must be borne by the city seeking approval to assume
jurisdiction of "all or part of" the water-sewer district, rather

than the city seeking approval to assume jurisdiction of the water-sewer district.

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