

SSB 5048 - S AMD 247

By Senators Roach, Chase

ADOPTED 3/11/2015

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. If a city has  
9 adopted a resolution or ordinance to assume jurisdiction of all or  
10 part of a water-sewer district under this chapter on or after January  
11 1, 2014, the city shall adopt a resolution or ordinance confirming  
12 the assumption, which must be treated in the same manner as a  
13 resolution or ordinance to assume jurisdiction of all or part of a  
14 water-sewer district and is subject to a referendum as described in  
15 this section. Any referendum petition to repeal the assumption  
16 resolution or ordinance must be filed with the county auditor within  
17 ten days of passage of the resolution or ordinance. Within ten days  
18 of the filing of a petition, the county auditor must confer with the  
19 petitioner concerning the form and style of the petition, issue an  
20 identification number for the petition, and write a ballot title for  
21 the measure. The ballot title must be posed as a question so that an  
22 affirmative answer to the question and a majority affirmative vote on  
23 the measure results in approval of the proposed assumption, and a  
24 negative answer to the question and a majority negative vote on the  
25 measure results in the assumption being barred. The petitioner must  
26 be notified of the identification number and ballot title within this  
27 ten-day period. After this notification, the petitioner has forty-  
28 five days in which to secure on petition forms the signatures of at  
29 least ten percent of the number of voters residing in the part of the  
30 water-sewer district subject to the assumption resolution or  
31 ordinance who voted in the most recent general election, and file the  
32 signed petitions with the county auditor. Each petition form must  
33 contain the ballot title and full text of the measure to be referred.

1 The county auditor must verify the sufficiency of the signatures on  
2 the petitions.

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

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

22 (4) If a city legislative authority assumes jurisdiction of all  
23 or part of a water-sewer district through a contract with a water-  
24 sewer district, or through an interlocal agreement with a water-sewer  
25 district under chapter 39.34 RCW, the provisions of this section do  
26 not apply.

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

29 A resolution or ordinance adopted by a city in accordance with  
30 this chapter to assume jurisdiction of all or part of a district may  
31 not take effect until forty-five or more days after its adoption."

**SSB 5048 - S AMD 247**  
By Senators Roach, Chase

**ADOPTED 3/11/2015**

32 On page 1, line 2 of the title, after "towns;" strike the  
33 remainder of the title and insert "and adding new sections to chapter  
34 35.13A RCW."

EFFECT: (1) Modifies the amount of time that a petitioner has to secure signatures for a referendum of a city assumption of a water-sewer district (district) from 90 to 45 days.

(2) Modifies required signature percentage and collection requirements for the referendum petition to be 10 percent of the number of voters residing in the area of the district subject to the assumption resolution or ordinance who voted in the most recent general election (rather than 10 percent of the number of voters in the entire district who voted in the last general election).

--- END ---