

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6085

Chapter 162, Laws of 1992

52nd Legislature
1992 Regular Session

BOUNDARY REVIEW BOARDS--ACTIONS NOT SUBJECT TO REVIEW--REVISIONS

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 9, 1992
Yeas 43 Nays 2

JOEL PRITCHARD

President of the Senate

Passed by the House March 3, 1992
Yeas 96 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved April 1, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6085** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

April 1, 1992 - 10:44 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6085

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senate Committee on Governmental Operations (originally sponsored by Senators Bauer, McCaslin, Sutherland, Sellar, Madsen and Vognild)

Read first time 01/23/92.

1 AN ACT Relating to boundary review boards; amending RCW 36.93.100;
2 and adding a new section to chapter 36.93 RCW.

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

4 **Sec. 1.** RCW 36.93.100 and 1991 c 363 s 96 are each amended to read
5 as follows:

6 The board shall review and approve, disapprove, or modify any of
7 the actions set forth in RCW 36.93.090 when any of the following shall
8 occur within forty-five days of the filing of a notice of intention:

9 (1) Three members of a five-member boundary review board or five
10 members of a boundary review board in a county with a population of one
11 million or more files a request for review: PROVIDED, That the members
12 of the boundary review board shall not be authorized to file a request
13 for review of the following actions:

1 (a) The incorporation or change in the boundary of any city, town,
2 or special purpose district;

3 (b) The extension of permanent water service outside of its
4 existing corporate boundaries by a city, town, or special purpose
5 district ~~((where—such))~~ if (i) the extension is through the
6 installation of water mains of six inches or less in diameter or (ii)
7 the county legislative authority for the county in which the proposed
8 extension is to be built is required or chooses to plan under RCW
9 36.70A.040 and has by a majority vote waived the authority of the board
10 to initiate review of all other extensions; or

11 (c) The extension of permanent sewer service outside of its
12 existing corporate boundaries by a city, town, or special purpose
13 district ~~((where—such))~~ if (i) the extension is through the
14 installation of sewer mains of eight inches or less in diameter or (ii)
15 the county legislative authority for the county in which the proposed
16 extension is to be built is required or chooses to plan under RCW
17 36.70A.040 and has by a majority vote waived the authority of the board
18 to initiate review of all other extensions;

19 (2) Any governmental unit affected, including the governmental unit
20 for which the boundary change or extension of permanent water or sewer
21 service is proposed, or the county within which the area of the
22 proposed action is located, files a request for review of the specific
23 action;

24 (3) A petition requesting review is filed and is signed by:

25 (a) Five percent of the registered voters residing within the area
26 which is being considered for the proposed action (as determined by the
27 boundary review board in its discretion subject to immediate review by
28 writ of certiorari to the superior court); or

29 (b) An owner or owners of property consisting of five percent of
30 the assessed valuation within such area;

1 (4) The majority of the members of boundary review boards concur
2 with a request for review when a petition requesting the review is
3 filed by five percent of the registered voters who deem themselves
4 affected by the action and reside within one-quarter mile of the
5 proposed action but not within the jurisdiction proposing the action.

6 If a period of forty-five days shall elapse without the board's
7 jurisdiction having been invoked as set forth in this section, the
8 proposed action shall be deemed approved.

9 If a review of a proposal is requested, the board shall make a
10 finding as prescribed in RCW 36.93.150 within one hundred twenty days
11 after the filing of such a request for review. If this period of one
12 hundred twenty days shall elapse without the board making a finding as
13 prescribed in RCW 36.93.150, the proposal shall be deemed approved
14 unless the board and the person who submitted the proposal agree to an
15 extension of the one hundred twenty day period.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.93 RCW
17 to read as follows:

18 The decisions of a boundary review board located in a county that
19 is required or chooses to plan under RCW 36.70A.040 must be consistent
20 with RCW 36.70A.020, 36.70A.110, and 36.70A.210.

Passed the Senate March 9, 1992.

Passed the House March 3, 1992.

Approved by the Governor April 1, 1992.

Filed in Office of Secretary of State April 1, 1992.