
SUBSTITUTE SENATE BILL 5048

State of Washington

64th Legislature

2015 Regular Session

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

READ FIRST TIME 02/11/15.

1 AN ACT Relating to the referendum of assumptions of water-sewer
2 districts by cities and towns; and adding a new section to chapter
3 35.13A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.13A
6 RCW to read as follows:

7 (1) A resolution or ordinance adopted by the legislative body of
8 a city to assume jurisdiction of all or part of a water-sewer
9 district under this chapter is subject to a referendum. If a city has
10 adopted a resolution or ordinance to assume jurisdiction of all or
11 part of a water-sewer district under this chapter on or after January
12 1, 2014, the city shall adopt a resolution or ordinance confirming
13 the assumption, which must be treated in the same manner as a
14 resolution or ordinance to assume jurisdiction of all or part of a
15 water-sewer district and is subject to a referendum as described in
16 this section. Any referendum petition to repeal the assumption
17 resolution or ordinance must be filed with the county auditor within
18 ten days of passage of the ordinance. Within ten days of the filing
19 of a petition, the county auditor must confer with the petitioner
20 concerning the form and style of the petition, issue an
21 identification number for the petition, and write a ballot title for

1 the measure. The ballot title must be posed as a question so that an
2 affirmative answer to the question and an affirmative vote on the
3 measure results in approval of the proposed assumption and a negative
4 answer to the question and a negative vote on the measure results in
5 the assumption being barred. The petitioner must be notified of the
6 identification number and ballot title within this ten-day period.
7 After this notification, the petitioner has ninety days in which to
8 secure on petition forms the signatures of at least ten percent of
9 the number of voters residing within the boundaries of the water-
10 sewer district who voted in the last general election and file the
11 signed petitions with the county auditor. Each petition form must
12 contain the ballot title and full text of the measure to be referred.
13 The county auditor must verify the sufficiency of the signatures on
14 the petitions.

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

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

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

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