

SB 5447 - S AMD 637

By Senator McCaslin

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) A city may not assume, under this chapter, the jurisdiction of  
6 all or part of a water-sewer district serving a population greater than  
7 one thousand residents and containing, within its boundaries, the  
8 territory of two or more cities, or one city and unincorporated  
9 territory, unless voters of the entire water-sewer district approve a  
10 ballot proposition authorizing the assumption under general election  
11 law. The cost of the election shall be borne by the city seeking  
12 approval to assume jurisdiction of a water-sewer district.

13 (2) A city or town may assume jurisdiction over a water-sewer  
14 district located within its boundaries without seeking approval of the  
15 voters, as required under subsection (1) of this section, if the board  
16 of commissioners of the water-sewer district consent to the assumption  
17 of jurisdiction by the city or town. The feasibility study required  
18 under subsection (3) of this section is not required if the board of  
19 commissioners of the water-sewer district consents to the assumption of  
20 jurisdiction by the city or town.

21 (3) Following the passage of a resolution by a city or town to  
22 assume all or part of a special purpose water-sewer district under this  
23 chapter, a feasibility study of such assumption shall be conducted,  
24 unless the board of commissioners of the water-sewer district consents  
25 to the assumption of jurisdiction by the city or town as provided under  
26 subsection (2) of this section. The study will be jointly and equally  
27 funded by the city and the district through a mutually agreed contract  
28 with a qualified independent consultant with professional expertise  
29 involving public water and sewer systems. The study shall address the  
30 impact of the proposed assumption on both the city and the district.

1 Issues to be considered shall be mutually agreed to by the city and the  
2 district and shall include, but not be limited to, engineering and  
3 operational impacts, costs of the assumption to the city and the  
4 district including potential impacts on future water-sewer rates, bond  
5 ratings and future borrowing costs, status of existing water rights,  
6 and other issues jointly agreed to. The findings of the joint study  
7 shall be presented as a public record that is available to the  
8 registered voters of the district, both within and without the boundary  
9 of the city conducting the assumption, before a vote on the proposed  
10 assumption by all the voters in the district. The study shall be  
11 completed within six months of the passage of the resolution to assume  
12 the district. No vote shall take place until such study has been  
13 completed and the results have been made available to the registered  
14 voters of the district.

15 (4) This section is applicable to assumptions of jurisdiction of  
16 water-sewer districts by cities or towns that have been initiated  
17 before the effective date of this act and which are pending as of that  
18 date, as well as those assumptions of jurisdiction that are initiated  
19 on or after the effective date of this act.

20 (5) Once the voters in a water-sewer district have made the  
21 decision to approve or disapprove an assumption through the ballot  
22 proposition process required under subsection (1) of this section, a  
23 boundary review board does not have jurisdiction, under chapter 36.93  
24 RCW, to conduct a review of such assumption where the attempted or  
25 completed assumption involves not more than one city.

26 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of the  
28 state government and its existing public institutions, and takes effect  
29 immediately."

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1        On page 1, line 1 of the title, after "districts;" strike the  
2 remainder of the title and insert "adding a new section to chapter  
3 35.13A RCW; and declaring an emergency."

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