
HOUSE BILL 1230

State of Washington 59th Legislature 2005 Regular Session

By Representatives Upthegrove, Schindler, Simpson and Schual-Berke

Read first time 01/18/2005. Referred to Committee on Local Government.

1 AN ACT Relating to boards of commissioners of water-sewer
2 districts; amending RCW 57.12.015; and adding a new section to chapter
3 57.12 RCW.

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

5 **Sec. 1.** RCW 57.12.015 and 2001 c 63 s 2 are each amended to read
6 as follows:

7 (1)(a) In the event a three-member board of commissioners of any
8 district with any number of customers determines by resolution that it
9 would be in the best interest of the district to increase the number of
10 commissioners from three to five, or if the board of a district with
11 any number of customers is presented with a petition signed by ten
12 percent of the registered voters resident within the district who voted
13 in the last general municipal election calling for an increase in the
14 number of commissioners of the district, the board shall, within ninety
15 days of adopting a resolution calling for an increase in the number of
16 commissioners, or within ninety days of a petition being certified as
17 sufficient, submit a resolution to the county auditor requesting that
18 an election be held.

1 (b) If the adopted resolution requesting an election is submitted
2 to the county auditor at least thirty days prior to the commencement of
3 candidate filing as provided by RCW 29A.24.050, the auditor shall place
4 the proposition on the next primary or general election ballot. If the
5 resolution is submitted to the county auditor less than thirty days
6 before the commencement of candidate filing, during candidate filing,
7 or after the conclusion of candidate filing, the auditor must place the
8 proposition on a special, primary, or general election ballot in the
9 following year.

10 (c) Upon receipt of the resolution, and in accordance with the
11 provisions of this subsection (1), the county auditor shall call ((a
12 ~~special~~)) an election to be held within the district, at which election
13 a proposition in substantially the following language shall be
14 submitted to the voters:

15 Shall the Board of Commissioners of (name and/or number of
16 district) be increased from three to five members?

17 Yes

18 No

19 If the proposition receives a majority approval at the election the
20 board of commissioners of the district shall be increased to five
21 members.

22 (2)(a) In any district with more than ten thousand customers, if a
23 three-member board of commissioners determines by resolution that it
24 would be in the best interest of the district to increase the number of
25 commissioners from three to five, the number of commissioners shall be
26 so increased without an election, unless within ninety days of adoption
27 of that resolution a petition requesting an election and signed by at
28 least ten percent of the registered voters who voted in the last
29 municipal general election is filed with the board. If such a petition
30 is received, the board shall, within ninety days of a petition being
31 certified as sufficient, submit the resolution and the petition to the
32 county auditor, who shall call ((a-special)) an election in the manner
33 described in this section.

34 (b) If the adopted resolution and a petition requesting an election
35 is submitted to the county auditor at least thirty days prior to the
36 commencement of candidate filing as provided by RCW 29A.24.050, the
37 auditor shall place the proposition on the next primary or general
38 election ballot. If the resolution and petition is submitted to the

1 county auditor less than thirty days before the commencement of
2 candidate filing, during candidate filing, or after the conclusion of
3 candidate filing, the auditor must place the proposition on a special,
4 primary, or general election ballot in the following year.

5 (3)(a)(i) In any district with more than twenty-five thousand
6 customers, if a five-member board of commissioners determines by
7 resolution that it would be in the best interest of the district to
8 increase the number of commissioners from five to seven, the number of
9 commissioners may be so increased without an election, unless within
10 ninety days of adoption of that resolution a petition requesting an
11 election and signed by at least ten percent of the registered voters
12 who voted in the last municipal general election is filed with the
13 board. If such a petition is received, the board shall, within ninety
14 days of a petition being certified as sufficient, submit the resolution
15 and the petition to the county auditor, who shall call ~~((a special))~~ an
16 election in the manner described in this section.

17 (ii) If the adopted resolution and a petition requesting an
18 election are submitted to the county auditor at least thirty days prior
19 to the commencement of candidate filing as provided by RCW 29A.24.050,
20 the auditor shall place the proposition on the next primary or general
21 election ballot. If the resolution and petition is submitted to the
22 county auditor less than thirty days before the commencement of
23 candidate filing, during candidate filing, or after the conclusion of
24 candidate filing, the auditor must place the proposition on a special,
25 primary, or general election ballot in the following year.

26 (b)(i) In the event a five-member board of commissioners of any
27 district with more than twenty-five thousand customers determines by
28 resolution that it would be in the best interest of the district to
29 increase the number of commissioners from five to seven, the board may
30 submit a resolution to the county auditor requesting that an election
31 be held.

32 (ii) If the resolution requesting an election is submitted to the
33 county auditor at least thirty days prior to the commencement of
34 candidate filing as provided by RCW 29A.24.050, the auditor shall place
35 the proposition on the next primary or general election ballot. If the
36 resolution is submitted to the county auditor less than thirty days
37 before the commencement of candidate filing, during candidate filing,

1 or after the conclusion of candidate filing, the auditor must place the
2 proposition on a special, primary, or general election ballot in the
3 following year.

4 (c) Upon receipt of the resolution, and in accordance with the
5 provisions of this subsection (3), the county auditor shall call ((~~a~~
6 ~~special~~)) an election to be held within the district, at which election
7 a proposition in substantially the following language shall be
8 submitted to the voters:

9 Shall the Board of Commissioners of _____ (name and/or number of
10 district)_____ be increased from five to seven members?

11 Yes

12 No

13 If the proposition receives a majority approval at the election the
14 board of commissioners of the district shall be increased to seven
15 members.

16 (4) The two additional positions created on boards of commissioners
17 by this section shall be filled initially as for a vacancy, except that
18 the appointees shall draw lots, one appointee to serve until the next
19 district general election after the appointment, at which two
20 commissioners shall be elected for six-year terms, and the other
21 appointee to serve until the second district general election after the
22 appointment, at which two commissioners shall be elected for six-year
23 terms.

24 NEW SECTION. Sec. 2. A new section is added to chapter 57.12 RCW
25 to read as follows:

26 Whenever in this chapter petitions requiring the signatures of
27 registered voters are submitted to boards of commissioners, the
28 following rules shall govern the sufficiency determination process:

29 (1) Determinations of petition sufficiency or insufficiency shall
30 be made in accordance with this chapter and only by a county auditor;

31 (2) Within thirty days of a board of commissioners receiving a
32 petition, the petition shall be transmitted to the auditor of the
33 county in which all or the major geographic portion of the district is
34 located, who shall, within ten days, certify the sufficiency or
35 insufficiency of the signatures. If the petition is found to contain
36 a sufficient number of valid signatures, the petition, together with a

1 certificate of sufficiency attached thereto, shall be transmitted to
2 the board of commissioners; and

3 (3) If the district is located in more than one county, the auditor
4 of the county in which the largest geographic portion of the district
5 is located shall be the lead auditor and shall immediately transfer a
6 copy of the petition to the auditor of each other county in which the
7 district is located. Within ten days after the lead auditor receives
8 the petition from the district, the auditor of each other county shall
9 certify to the lead auditor: (a) The number of voters of that county
10 residing in the district who voted at the last municipal general
11 election; and (b) the number of valid signatures on the petition of
12 voters of that county residing in the district. If, after receiving
13 this information, the petition is found by the lead auditor to contain
14 a sufficient number of valid signatures, the petition, together with a
15 certificate of sufficiency attached thereto, shall be transmitted to
16 the board of commissioners.

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