

ESSB 5048 - H COMM AMD

By Committee on Local Government

ADOPTED AND ENGROSSED 4/13/2015

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. Any  
9 referendum petition to repeal the assumption resolution or ordinance  
10 must be filed with the county auditor within ten days of passage of  
11 the resolution or ordinance. Within ten days of the filing of a  
12 petition, the county auditor must confer with the petitioner  
13 concerning the form and style of the petition and issue a petition  
14 identification number. The ballot title must be prepared by the  
15 applicable city attorney in accordance with this section and RCW  
16 29A.36.071, and the question posed to the voters must be written so  
17 that an affirmative answer to the question and a majority affirmative  
18 vote on the measure results in approval of the proposed assumption,  
19 and a negative answer to the question and a majority negative vote on  
20 the measure results in the assumption being barred. The petitioner  
21 must be notified of the identification number and ballot title within  
22 this ten-day period. After this notification, the petitioner has  
23 forty-five days in which to secure on petition forms the signatures  
24 of at least ten percent of the number of voters residing in the part  
25 of the water-sewer district subject to the assumption resolution or  
26 ordinance who voted in the most recent general election, and file the  
27 signed petitions with the county auditor. Each petition form must  
28 contain the ballot title and full text of the measure to be referred.  
29 The county auditor must verify the sufficiency of the signatures on  
30 the petitions.

31 (2) If sufficient valid signatures on the petitions are properly  
32 submitted, the county auditor must submit the referendum measure to  
33 the registered voters residing in the part of the water-sewer

1 district subject to the assumption resolution or ordinance in a  
2 general or special election no later than one hundred twenty days  
3 after the signed petition has been filed with the county auditor.  
4 Elections must be conducted in accordance with general election law,  
5 and the cost of the election must be borne by the city seeking  
6 approval to assume jurisdiction of all or part of the water-sewer  
7 district.

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

16 (4) If a city legislative authority assumes jurisdiction of all  
17 or part of a water-sewer district through a contract with a water-  
18 sewer district, or through an interlocal agreement with a water-sewer  
19 district under chapter 39.34 RCW, the provisions of this section do  
20 not apply.

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

23 A resolution or ordinance adopted by a city in accordance with  
24 this chapter to assume jurisdiction of all or part of a district may  
25 not take effect until ninety or more days after its adoption.

26 **Sec. 3.** RCW 29A.36.071 and 2006 c 311 s 9 are each amended to  
27 read as follows:

28 (1) Except as provided to the contrary in RCW 82.14.036,  
29 82.46.021, or 82.80.090, the ballot title of any referendum filed on  
30 an enactment or portion of an enactment of a local government and any  
31 other question submitted to the voters of a local government consists  
32 of three elements: (a) An identification of the enacting legislative  
33 body and a statement of the subject matter; (b) a concise description  
34 of the measure; and (c) a question. The ballot title must conform  
35 with the requirements and be displayed substantially as provided  
36 under RCW 29A.72.050, except that the concise description must not  
37 exceed seventy-five words; however, a concise description submitted  
38 on behalf of a proposed or existing regional transportation

1 investment district may exceed seventy-five words. If the local  
2 governmental unit is a city or a town, or if the ballot title is for  
3 a referendum under section 1 of this act, the concise statement shall  
4 be prepared by the city or town attorney. If the local governmental  
5 unit is a county, the concise statement shall be prepared by the  
6 prosecuting attorney of the county. If the unit is a unit of local  
7 government other than a city, town, or county, the concise statement  
8 shall be prepared by the prosecuting attorney of the county within  
9 which the majority area of the unit is located.

10 (2) A referendum measure on the enactment of a unit of local  
11 government shall be advertised in the manner provided for nominees  
12 for elective office.

13 (3) Subsection (1) of this section does not apply if another  
14 provision of law specifies the ballot title for a specific type of  
15 ballot question or proposition."

16 Correct the title.

--- END ---