

ESHB 1417 - S COMM AMD

By Committee on Government Operations & Security

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
34 district subject to the assumption resolution or ordinance in a

1 general or special election no later than one hundred twenty days
2 after the signed petition has been filed with the county auditor.
3 Elections must be conducted in accordance with general election law,
4 and the cost of the election must be borne by the city seeking
5 approval to assume jurisdiction of all or part of the water-sewer
6 district. The city must produce a local voters' pamphlet as provided
7 in RCW 29A.32.210 through 29A.32.280.

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."

ESHB 1417 - S COMM AMD

By Committee on Government Operations & Security

16 On page 1, line 2 of the title, after "towns;" strike the
17 remainder of the title and insert "amending RCW 29A.36.071; and
18 adding new sections to chapter 35.13A RCW."

EFFECT: Establishes that a resolution or ordinance to assume jurisdiction of all or a part of a water-sewer district may not take effect until 90 days after its adoption. Requires the applicable city attorney, rather than the county auditor, to prepare ballot titles for the referendum of a city resolution or ordinance to assume jurisdiction of all or part of a water-sewer district. Requires that a city seeking to assume jurisdiction of the district must also produce a local voters' pamphlet that conforms with statutory requirements governing the production and distribution of local voters' pamphlets. Makes a technical change to specify that the cost of a referendum must be borne by the city seeking approval to assume jurisdiction of "all or part of" the water-sewer district, rather than the city seeking approval to assume jurisdiction of the water-sewer district.

--- END ---