

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5048

Chapter 172, Laws of 2015

64th Legislature
2015 Regular Session

WATER-SEWER DISTRICTS--REFERENDUM--ASSUMPTION RESOLUTION OR ORDINANCE

EFFECTIVE DATE: 7/24/2015

Passed by the Senate April 21, 2015
Yeas 43 Nays 6

BRAD OWEN

President of the Senate

Passed by the House April 13, 2015
Yeas 96 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Approved May 6, 2015 2:42 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5048** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 6, 2015

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5048

AS AMENDED BY THE HOUSE

Passed Legislature - 2015 Regular Session

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; amending RCW 29A.36.071; and adding
3 new sections to chapter 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) Except as provided otherwise by subsection (4) of this
8 section, a resolution or ordinance adopted by the legislative body of
9 a city to assume jurisdiction of all or part of a water-sewer
10 district under this chapter is subject to a referendum. Any
11 referendum petition to repeal the assumption resolution or ordinance
12 must be filed with the county auditor within ten days of passage of
13 the resolution or ordinance. Within ten days of the filing of a
14 petition, the county auditor must confer with the petitioner
15 concerning the form and style of the petition and issue a petition
16 identification number. The ballot title must be prepared by the
17 applicable city attorney in accordance with this section and RCW
18 29A.36.071, and the question posed to the voters must be written so
19 that an affirmative answer to the question and a majority affirmative
20 vote on the measure results in approval of the proposed assumption,
21 and a negative answer to the question and a majority negative vote on

1 the measure results in the assumption being barred. The petitioner
2 must be notified of the identification number and ballot title within
3 this ten-day period. After this notification, the petitioner has
4 forty-five days in which to secure on petition forms the signatures
5 of at least ten percent of the number of voters residing in the part
6 of the water-sewer district subject to the assumption resolution or
7 ordinance who voted in the most recent general election, and file the
8 signed petitions with the county auditor. Each petition form must
9 contain the ballot title and full text of the measure to be referred.
10 The county auditor must verify the sufficiency of the signatures on
11 the petitions.

12 (2) If sufficient valid signatures on the petitions are properly
13 submitted, the county auditor must submit the referendum measure to
14 the registered voters residing in the part of the water-sewer
15 district subject to the assumption resolution or ordinance in a
16 general or special election no later than one hundred twenty days
17 after the signed petition has been filed with the county auditor.
18 Elections must be conducted in accordance with general election law,
19 and the cost of the election must be borne by the city seeking
20 approval to assume jurisdiction of all or part of the water-sewer
21 district.

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

30 (4) If a city legislative authority assumes jurisdiction of all
31 or part of a water-sewer district through a contract with a water-
32 sewer district, or through an interlocal agreement with a water-sewer
33 district under chapter 39.34 RCW, the provisions of this section do
34 not apply.

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

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

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

3 (1) Except as provided to the contrary in RCW 82.14.036,
4 82.46.021, or 82.80.090, the ballot title of any referendum filed on
5 an enactment or portion of an enactment of a local government and any
6 other question submitted to the voters of a local government consists
7 of three elements: (a) An identification of the enacting legislative
8 body and a statement of the subject matter; (b) a concise description
9 of the measure; and (c) a question. The ballot title must conform
10 with the requirements and be displayed substantially as provided
11 under RCW 29A.72.050, except that the concise description must not
12 exceed seventy-five words; however, a concise description submitted
13 on behalf of a proposed or existing regional transportation
14 investment district may exceed seventy-five words. If the local
15 governmental unit is a city or a town, or if the ballot title is for
16 a referendum under section 1 of this act, the concise statement shall
17 be prepared by the city or town attorney. If the local governmental
18 unit is a county, the concise statement shall be prepared by the
19 prosecuting attorney of the county. If the unit is a unit of local
20 government other than a city, town, or county, the concise statement
21 shall be prepared by the prosecuting attorney of the county within
22 which the majority area of the unit is located.

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

26 (3) Subsection (1) of this section does not apply if another
27 provision of law specifies the ballot title for a specific type of
28 ballot question or proposition.

Passed by the Senate April 21, 2015.

Passed by the House April 13, 2015.

Approved by the Governor May 6, 2015.

Filed in Office of Secretary of State May 6, 2015.