
HOUSE BILL 2171

State of Washington 52nd Legislature 1991 Regular Session

By Representative Anderson.

Read first time March 5, 1991. Referred to Committee on State Government.

1 AN ACT Relating to vacancies in elective office; amending RCW
2 36.32.070; adding a new section to chapter 42.12 RCW; and providing a
3 contingent effective date.

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

5 **Sec. 1.** RCW 36.32.070 and 1963 c 4 s 36.32.070 are each amended to
6 read as follows:

7 Whenever there is a vacancy in the board of county commissioners,
8 it shall be filled as follows:

9 (1) If there are three vacancies, the governor of the state shall
10 appoint two of the officers. The two commissioners thus appointed
11 shall then meet and select the third commissioner. ~~((If the two
12 appointed commissioners fail to agree upon selection of the third after
13 the expiration of five days from the day they were appointed, the
14 governor shall appoint the remaining commissioner))~~ The vacancies

1 shall be filled in accordance with Article II, section 15 of the state
2 Constitution and section 3 of this act.

3 (2) Whenever there are two vacancies in the office of county
4 commissioner, the governor shall appoint one commissioner, and the two
5 commissioners then in office shall appoint the third commissioner.
6 (~~If they fail to agree upon a selection after the expiration of five~~
7 ~~days from the day of the governor's appointment, the governor shall~~
8 ~~appoint the third commissioner~~)) The vacancies shall be filled in
9 accordance with Article II, section 15 of the state Constitution and
10 section 3 of this act.

11 (3) Whenever there is one vacancy in the office of county
12 commissioner, the two remaining commissioners shall fill the vacancy(~~-~~
13 ~~If the two commissioners fail to agree upon a selection after the~~
14 ~~expiration of five days from the day the vacancy occurred, the governor~~
15 ~~shall appoint the third commissioner~~)) in accordance with Article II,
16 section 15 of the state Constitution and section 3 of this act.

17 **Sec. 2.** RCW 36.32.070 and 1990 c 252 s 7 are each amended to read
18 as follows:

19 Whenever there is a vacancy in the board of county commissioners,
20 except as provided in RCW 36.32.0558, it shall be filled as follows:

21 (1) If there are three vacancies, the governor of the state shall
22 appoint two of the officers. The two commissioners thus appointed
23 shall then meet and select the third commissioner. (~~If the two~~
24 ~~appointed commissioners fail to agree upon selection of the third after~~
25 ~~the expiration of five days from the day they were appointed, the~~
26 ~~governor shall appoint the remaining commissioner~~)) The vacancies
27 shall be filled in accordance with Article II, section 15 of the state
28 Constitution and section 3 of this act.

1 (2) Whenever there are two vacancies in the office of county
2 commissioner, the governor shall appoint one commissioner, and the two
3 commissioners then in office shall appoint the third commissioner.
4 (~~If they fail to agree upon a selection after the expiration of five~~
5 ~~days from the day of the governor's appointment, the governor shall~~
6 ~~appoint the third commissioner~~) The vacancies shall be filled in
7 accordance with Article II, section 15 of the state Constitution and
8 section 3 of this act.

9 (3) Whenever there is one vacancy in the office of county
10 commissioner, the two remaining commissioners shall fill the vacancy(~~-~~
11 ~~If the two commissioners fail to agree upon a selection after the~~
12 ~~expiration of five days from the day the vacancy occurred, the governor~~
13 ~~shall appoint the third commissioner~~) in accordance with Article II,
14 section 15 of the state Constitution and section 3 of this act.

15 NEW SECTION. Sec. 3. A new section is added to chapter 42.12 RCW
16 to read as follows:

17 (1) A state or county central committee submitting a list of
18 nominees under Article II, section 15 of the state Constitution shall
19 do so within fourteen days of the occurrence of the vacancy.

20 (2) A county legislative authority or jointly meeting county
21 legislative authorities making an appointment under Article II, section
22 15 of the state Constitution shall do so within twenty-eight days of
23 the occurrence of the vacancy.

24 (3) Except as provided in subsection (4) of this section, an
25 appointment made by the governor under Article II, section 15 of the
26 state Constitution shall be made within forty-two days of the
27 occurrence of the vacancy.

28 (4) An appointment made by the governor under Article II, section
29 15 of the state Constitution to establish a majority of filled

1 positions on a county legislative authority shall be made within
2 twenty-eight days of the occurrence of each vacancy.

3 NEW SECTION. **Sec. 4.** This act shall take effect December 1,
4 1991, if the proposed amendment to Article II, section 15 of the state
5 Constitution, House Joint Resolution No. 4227, modifying methods for
6 filling vacancies in the legislature or county elective office, is
7 validly submitted to and is approved and ratified by the voters at a
8 general election held in November 1991. If the proposed amendment is
9 not so approved and ratified, this act shall be null and void in its
10 entirety.