

HOUSE BILL REPORT

HB 1018

As Reported By House Committee On:
Local Government

Title: An act relating to nonpartisan sheriffs.

Brief Description: Making the office of sheriff nonpartisan.

Sponsors: Representatives Springer, Morris, Chappell, Dunshee, Finkbeiner, Riley, Brough, R. Johnson, Carlson, Edmondson, Flemming, Orr and Hansen.

Brief History:

Reported by House Committee on:
Local Government, February 5, 1993, DPS.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives H. Myers, Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; Rayburn; Romero; Springer; and Zellinsky.

Minority Report: Do not pass. Signed by 4 members: Representatives Bray, Vice Chair; R. Fisher; Horn; and Van Luven.

Staff: Steve Lundin (786-7127).

Background: Article XI, Section 5, of the state constitution, requires that a non-charter county have a uniform array of elected officials, including a board of commissioners, sheriff, treasurer, prosecuting attorney, clerk, and other offices specified by the Legislature, and permits the Legislature to classify counties by population and combine two or more of the specified offices. Legislation has been enacted requiring the additional elected offices of auditor, assessor, and coroner in non-charter counties, but in counties below a specified population a coroner is not elected and the prosecuting attorney also acts as the coroner.

Article IV, section 5, of the state constitution, provides for superior court judges of a county to be elected.

The constitution does not specify whether elected officials in non-charter counties are elected on a partisan or non-partisan basis. However, legislation has been enacted providing for all elected county offices in non-charter counties, other than judicial offices, to be partisan offices. In partisan offices, a nominating primary is held prior to every general election at which the office is filled, notwithstanding the number of persons who file for the office, while in nonpartisan elections a primary is held only if more than two persons file for the office.

Summary of Substitute Bill: The office of county sheriff in a non-charter county is changed from a partisan office to a non-partisan office.

Substitute Bill Compared to Original Bill: It is clarified that a vacancy in the office of nonpartisan sheriff is filled by appointment of the board of county commissioners. It is clarified how the names of candidates for nonpartisan sheriff are placed on the primary ballot.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: It is more appropriate for law enforcement officers to be elected as nonpartisan officials. Thirty-eight out of 39 sheriffs support this bill. Partisanship should not be a question.

Testimony Against: None.

Witnesses: (pro): Sheriff Gary Edwards, Thurston County; Sheriff Dan LaRoche, Douglas County; and Sheriff Bob McBride, Kittitas County.