

# HOUSE BILL REPORT

## HB 2669

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### As Passed House:

February 12, 2004

**Title:** An act relating to establishing a pilot project to examine the use of instant runoff voting for nonpartisan offices.

**Brief Description:** Establishing a pilot project to examine the use of instant runoff voting for nonpartisan offices.

**Sponsors:** By Representatives Moeller, Jarrett, Santos, Cox, Upthegrove, Newhouse, Chase, Lovick, Clibborn, Morrell, Wallace, Nixon, Wood, Kagi and McDermott.

### Brief History:

#### Committee Activity:

Local Government: 1/26/04, 2/2/04 [DP].

#### Floor Activity:

Passed House: 2/12/04, 69-26.

### Brief Summary of Bill

- Establishes a five year instant runoff voting (IRV) pilot project conducted by the Office of the Secretary of State (OSOS) to examine the use of IRV as a local option for nonpartisan offices in any qualifying city.
- Requires the pilot project to commence following submission to the OSOS of a notification of participation by a qualifying county auditor.
- Allows a qualifying city to adopt IRV for the election of nonpartisan candidates following a city charter amendment and compliance with other pilot project requirements.
- Specifies provisions related to the IRV pilot project and the conduct of IRV elections.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 11 members: Representatives Romero, Chair; Simpson, D., Vice Chair; Schindler, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Ahern, Clibborn, Edwards, Ericksen, Mielke, Moeller and Upthegrove.

**Staff:** Ethan Moreno (786-7386).

**Background:**

Cities and towns in Washington are classified according to population at the time of organization (usually incorporation) or reorganization. A first class city is a city with a population of at least 10,000 inhabitants at the time of incorporation or reorganization that has adopted a charter.

Instant runoff voting (IRV) is an election method requiring candidates to receive a majority, rather than a plurality, of the votes cast in a particular race. While requirements vary, under IRV, voters may select more than one candidate for a single race and rank candidates in a preferential order. A candidate receiving a majority of "first choice" votes is elected. If no candidate receives a majority of the votes cast in the race after the first counting stage, the "second choice" designations indicated on the ballots cast for the candidate receiving the fewest votes become additional votes for the candidates indicated on those ballot choices. This process generally continues until a candidate receives a majority of the votes cast for the position or until all but one candidate has been eliminated.

Provisions for IRV do not exist in Washington law.

Present statute provides that city and town primary elections are nonpartisan and are held when more than two candidates file for the same position. Generally, if a primary was held for a nonpartisan office, the general election ballot must contain the names of the two candidates receiving the highest vote totals, listed in that order. If no primary was held, the order of the candidate names for the general election ballot is determined by a lot drawing by the county filing officer. The candidate receiving the highest vote total in the general election is elected to the office.

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**Summary of Bill:**

The Office of the Secretary of State (OSOS) is required to conduct a five year pilot project to study the effects of using instant runoff voting (IRV) as a local option for nonpartisan offices in any qualifying city. The pilot project is required to commence following submission to the OSOS of a notification of participation from the auditor of a county containing a city that has demonstrated specific support for IRV. The pilot project must begin by August 1, 2007, and conclude by July 1, 2012. Among other requirements, the OSOS must submit a report of findings to the appropriate committees of the Legislature by July 1, 2012.

For the purposes of the pilot project, a qualifying city must:

- be classified as a first class city;
- have a population greater than 140,000 and less than 200,000;
- have demonstrated support for IRV through voter approval of a related ballot measure; and
- have satisfied specific city charter amendment provisions.

Following the timely receipt of a notification of participation from a qualifying county auditor, the OSOS must:

- certify at least one city in that county to qualify and participate in the pilot project;
- develop and adopt rules governing the conduct of IRV elections; and
- develop a pilot project timeline.

Additionally, all election equipment and related processes must be certified by the OSOS before the conduct of an IRV election.

The legislative body of a qualifying city may, after satisfying charter amendment requirements and other criteria, adopt IRV as an alternative method of electing candidates for all nonpartisan city offices. The city must notify the applicable county auditor and the OSOS before conducting an IRV election.

If the county auditor notifies the city that existing county election equipment is insufficient for the conduct of an IRV election, the city and county must reach an agreement for the purchase of any new equipment required for the election.

No primary election may be held for nonpartisan offices in any first class city if the city is a participant in the pilot project and is conducting an authorized IRV election. Participating cities conducting an IRV election must certify the results on or before the 30th day after the election.

Provisions related to the conduct of the pilot project, including tabulation and timeline requirements, and ballot design and processing specifications, are established.

The pilot project and most amendatory provisions expire on July 1, 2012.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This bill is a new and improved legislative approach to instant runoff

voting (IRV). The City of Vancouver has expressed an interest in conducting an IRV election and this bill will enable the city to proceed with the process if it chooses to do so. This bill will lead to voter education about IRV.

**Testimony Against:** None.

**Persons Testifying:** David Elliott, the Office of the Secretary of State; Mark Brown, City of Vancouver; and Brent White, Coalition for Instant Runoff Voting.

**Persons Signed In To Testify But Not Testifying:** None.