

SENATE BILL REPORT

SB 5165

As Reported by Senate Committee On:
Government Operations, Tribal Relations & Elections, January 31, 2011

Title: An act relating to limiting changes to commissioner districts during commissioner elections and election filing periods.

Brief Description: Limiting changes to commissioner districts during commissioner elections and election filing periods.

Sponsors: Senators Schoesler, Pridemore and Holmquist Newbry.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/20/11, 1/31/11 [DPS, DNP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5165 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase and Nelson.

Minority Report: Do not pass.

Signed by Senator Roach.

Staff: Diane Smith (786-7410)

Background: County commissioners are elected in partisan primaries, unless a home rule charter county's charter provides differently. County commissioners must be electors of the commissioner district from which they are nominated in the primary election. They run at-large in the general election.

The lines of the commissioner districts may not be changed more often than once every four years.

A declaration of candidacy to run for the office of county commissioner may be filed by mail but to be accepted the mailing must be received by the filing officer no earlier than ten

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business days before candidates may file in person. Declarations of candidacy may be filed in person with the filing officer during regular business hours, no earlier than the first Monday in June and no later than the following Friday.

There is no statutory provision specifying when during the election cycle the lines of the commissioner district may be changed.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): For a certain period during the yearly elections cycle, the lines of county commissioner districts may not be changed. This period begins, and runs, 30 days before the tenth business day prior to the first Monday in June, and ends when the county canvassing board certifies the election results.

EFFECT OF CHANGES MADE BY GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS COMMITTEE (Recommended Substitute as Passed Committee): The proposed substitute clarifies that it is the certification of the general election results that ends the period during which commissioner districts may not be changed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Proposed Substitute as Heard in Committee:
PRO: In one jurisdiction, county commissioner districts were proposed to have been changed directly prior to the filing period. The controversy this engendered pointed out a lack of clarity in the statute. This bill addresses that. For further clarity, the ending of the period during which the commissioner districts may not be changed should be specified as when the general election results are certified by the county.

Persons Testifying: PRO: Katie Blinn, Secretary of State.