

ESSB 6002 - H AMD 1167

By Representative Irwin

OUT OF ORDER 02/27/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 101.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "District-based elections" means a method of electing members
7 to the governing body of a political subdivision in which the
8 candidate must reside within an election district that is a divisible
9 part of the political subdivision and is elected only by voters
10 residing within that election district.

11 (2) "Political subdivision" means any county, city, town, or
12 district, that includes an elected multimember governing body, but
13 does not include the state.

14 NEW SECTION. **Sec. 201.** (1) Any political subdivision that
15 conducts an election pursuant to state, county, or local law, is
16 authorized to implement a district-based election system.

17 (2) If a political subdivision invokes its authority under this
18 section to implement a district-based election system, the districts
19 shall be drawn in a manner consistent with section 202 of this act.

20 NEW SECTION. **Sec. 202.** (1) Prior to the adoption of its
21 proposed plan, the political subdivision shall provide full and
22 reasonable public notice of its actions. The political subdivision
23 shall hold at least one public hearing on the proposed plan at least
24 one week before adoption.

25 (2)(a) If the political subdivision invokes its authority under
26 this section and the plan is adopted during the period of time
27 between the first Tuesday after the first Monday of November and on
28 or before January 15th of the following year, the political
29 subdivision shall order new elections to occur at the next succeeding
30 general election.

1 (b) If the political subdivision invokes its authority under this
2 section and the plan is adopted during the period of time between
3 January 16th and on or before the first Monday of November, the next
4 election will occur as scheduled and organized under the current
5 electoral system, but the political subdivision shall order new
6 elections to occur pursuant to the remedy at the general election the
7 following calendar year.

8 (3) If a political subdivision implements a district-based
9 election system, the plan shall be consistent with the following
10 criteria:

11 (a) Each district shall be as reasonably equal in population as
12 possible to each and every other such district comprising the
13 political subdivision.

14 (b) Each district shall be reasonably compact.

15 (c) Each district shall consist of a geographically contiguous
16 area.

17 (d) To the extent feasible, the district boundaries shall
18 coincide with existing recognized natural boundaries and shall, to
19 the extent possible, preserve existing communities of related and
20 mutual interest.

21 (e) District boundaries may not be drawn or maintained in a
22 manner that denies a protected class an equal opportunity to elect
23 candidates of its choice or an equal opportunity to influence the
24 outcome of an election.

25 (4) Within forty-five days after receipt of federal decennial
26 census information applicable to a specific local area, the
27 commission established in RCW 44.05.030 shall forward the census
28 information to each political subdivision that has invoked its
29 authority under this section to implement a district-based election
30 system.

31 (5) No later than eight months after its receipt of federal
32 decennial census data, the governing body of the political
33 subdivision that had previously invoked its authority under this
34 section to implement a district-based election system shall prepare a
35 plan for redistricting its districts, pursuant to RCW 29A.76.010, and
36 in a manner consistent with this act.

37 NEW SECTION. **Sec. 203.** A new section is added to chapter
38 28A.343 RCW to read as follows:

1 The school board of directors may authorize a change to its
2 electoral system pursuant to section 201 of this act. Any staggering
3 of directors' terms shall be accomplished as provided in RCW
4 28A.343.030 and 28A.343.600 through 28A.343.650.

5 **Sec. 204.** RCW 36.32.020 and 1982 c 226 s 4 are each amended to
6 read as follows:

7 The board of county commissioners of each county shall divide
8 their county into three commissioner districts so that each district
9 shall comprise as nearly as possible one-third of the population of
10 the county: PROVIDED, That the territory comprised in any voting
11 precincts of such districts shall remain compact, and shall not be
12 divided by the lines of said districts.

13 However, the commissioners of any county composed entirely of
14 islands and with a population of less than thirty-five thousand may
15 divide their county into three commissioner districts without regard
16 to population, except that if any single island is included in more
17 than one district, the districts on such island shall comprise, as
18 nearly as possible, equal populations.

19 The commissioners of any county may authorize a change to their
20 electoral system pursuant to section 201 of this act. The lines of
21 the districts shall not be changed (~~often~~) more often than once
22 in four years and only when a full board of commissioners is present.
23 The districts shall be designated as districts numbered one, two and
24 three.

25 **Sec. 205.** RCW 36.32.040 and 1982 c 226 s 5 are each amended to
26 read as follows:

27 (1) Except as provided in subsection (2) of this section, the
28 qualified electors of each county commissioner district, and they
29 only, shall nominate from among their own number, candidates for the
30 office of county commissioner of such commissioner district to be
31 voted for at the following general election. Such candidates shall be
32 nominated in the same manner as candidates for other county and
33 district offices are nominated in all other respects.

34 (2) Where the commissioners of a county composed entirely of
35 islands with a population of less than thirty-five thousand have
36 chosen to divide the county into unequal-sized commissioner districts
37 pursuant to the exception provided in RCW 36.32.020, the qualified
38 electors of the entire county shall nominate from among their own

1 number who reside within a commissioner district, candidates for the
2 office of county commissioner of such commissioner district to be
3 voted for at the following general election. Such candidates shall be
4 nominated in the same manner as candidates for other county offices
5 are nominated in all other respects.

6 (3) The commissioners of any county may authorize a change to
7 their electoral system pursuant to section 201 of this act.

8 NEW SECTION. Sec. 206. A new section is added to chapter 35.21
9 RCW to read as follows:

10 The legislative authority of a city or town may authorize a
11 change to its electoral system pursuant to section 201 of this act.

12 NEW SECTION. Sec. 207. A new section is added to chapter 35A.21
13 RCW to read as follows:

14 The legislative authority of a code city or town may authorize a
15 change to its electoral system pursuant to section 201 of this act.

16 NEW SECTION. Sec. 208. A new section is added to chapter 52.14
17 RCW to read as follows:

18 The board of fire commissioners of a fire protection district may
19 authorize a change to its electoral system pursuant to section 201 of
20 this act by majority vote.

21 NEW SECTION. Sec. 209. A new section is added to chapter 53.12
22 RCW to read as follows:

23 The port commission may authorize a change to its electoral
24 system pursuant to section 201 of this act.

25 **Sec. 210.** RCW 54.12.010 and 2004 c 113 s 1 are each amended to
26 read as follows:

27 A public utility district that is created as provided in RCW
28 54.08.010 shall be a municipal corporation of the state of
29 Washington, and the name of such public utility district shall be
30 Public Utility District No. of County.

31 The powers of the public utility district shall be exercised
32 through a commission consisting of three members in three
33 commissioner districts, and five members in five commissioner
34 districts.

1 (1) If the public utility district is countywide and the county
2 has three county legislative authority districts, then, at the first
3 election of commissioners and until any change is made in the
4 boundaries of public utility district commissioner districts, one
5 public utility district commissioner shall be chosen from each of the
6 three county legislative authority districts.

7 (2) If the public utility district comprises only a portion of
8 the county, with boundaries established in accordance with chapter
9 54.08 RCW, or if the public utility district is countywide and the
10 county does not have three county legislative authority districts,
11 three public utility district commissioner districts, numbered
12 consecutively, each with approximately equal population and following
13 precinct lines, as far as practicable, shall be described in the
14 petition for the formation of the public utility district, subject to
15 appropriate change by the county legislative authority if and when it
16 changes the boundaries of the proposed public utility district. One
17 commissioner shall be elected as a commissioner of each of the public
18 utility district commissioner districts.

19 (3) Only a registered voter who resides in a commissioner
20 district may be a candidate for, or hold office as, a commissioner of
21 the commissioner district. Only voters of a commissioner district may
22 vote at a primary to nominate candidates for a commissioner of the
23 commissioner district. Voters of the entire public utility district
24 may vote at a general election to elect a person as a commissioner of
25 the commissioner district.

26 (4) The term of office of each public utility district
27 commissioner other than the commissioners at large shall be six
28 years, and the term of each commissioner at large shall be four
29 years. Each term shall be computed in accordance with RCW
30 (~~(29A.20.040)~~) 29A.60.280 following the commissioner's election. All
31 public utility district commissioners shall hold office until their
32 successors shall have been elected and have qualified and assume
33 office in accordance with RCW (~~(29A.20.040)~~) 29A.60.280.

34 (5) A vacancy in the office of public utility district
35 commissioner shall occur as provided in chapter 42.12 RCW or by
36 nonattendance at meetings of the public utility district commission
37 for a period of sixty days unless excused by the public utility
38 district commission. Vacancies on a board of public utility district
39 commissioners shall be filled as provided in chapter 42.12 RCW.

1 (6) The boundaries of the public utility district commissioner
2 districts may be changed only by the public utility district
3 commission, and shall be examined every ten years to determine
4 substantial equality of population in accordance with chapter 29A.76
5 RCW. Except as provided in this section, section 201 of this act, or
6 RCW 54.04.039, the boundaries shall not be changed (~~oftener~~) more
7 often than once in four years. Boundaries may only be changed when
8 all members of the commission are present. Whenever territory is
9 added to a public utility district under RCW 54.04.035, or added or
10 withdrawn under RCW 54.04.039, the boundaries of the public utility
11 commissioner districts shall be changed to include the additional or
12 exclude the withdrawn territory. Unless the boundaries are changed
13 pursuant to RCW 54.04.039, the proposed change of the boundaries of
14 the public utility district commissioner district must be made by
15 resolution and after public hearing. Notice of the time of the public
16 hearing shall be published for two weeks before the hearing. Upon a
17 referendum petition signed by ten percent of the qualified voters of
18 the public utility district being filed with the county auditor, the
19 county legislative authority shall submit the proposed change of
20 boundaries to the voters of the public utility district for their
21 approval or rejection. The petition must be filed within ninety days
22 after the adoption of resolution of the proposed action. The validity
23 of the petition is governed by the provisions of chapter 54.08 RCW.

24 NEW SECTION. **Sec. 211.** If any provision of this act or its
25 application to any person or circumstance is held invalid, the
26 remainder of the act or the application of the provision to other
27 persons or circumstances is not affected.

28 NEW SECTION. **Sec. 212.** Sections 101, 201, and 202 of this act
29 constitute a new chapter in Title 29A RCW."

30 Correct the title.

EFFECT: Strikes current language.

Allows any county, city, town, or district, with a multimember governing body, to establish district-based elections.

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