

ESSB 6002 - H AMD 1166

By Representative Walsh

OUT OF ORDER 02/27/2018

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

3 "NEW SECTION. **Sec. 101.** The legislature finds that the people  
4 should have the choice to change their electoral systems to provide  
5 district-based or hybrid elections that will better represent the  
6 community voters. The legislature further finds that political  
7 subdivisions should be authorized to respond to the people's desire  
8 to enact district-based or hybrid elections either by ordinance or by  
9 voter initiative.

10 NEW SECTION. **Sec. 102.** The definitions in this section apply  
11 throughout this chapter unless the context clearly requires  
12 otherwise.

13 (1) "At-large" means any of the following methods of electing  
14 members of the governing body of a political subdivision:

15 (a) One in which the voters of the entire jurisdiction elect the  
16 members to the governing body;

17 (b) One in which the candidates are required to reside within  
18 given areas of the jurisdiction and the voters of the entire  
19 jurisdiction elect the members to the governing body.

20 (2) "District-based elections" means a method of electing members  
21 to the governing body of a political subdivision in which the  
22 candidate must reside within an election district that is a divisible  
23 part of the political subdivision and is elected only by voters  
24 residing within that election district.

25 (3) "Hybrid election" means a method of electing members to the  
26 governing body where some seats are district-based and others are at-  
27 large.

28 (4) "Political subdivision" means any county, city, town, school  
29 district, fire protection district, port district, or public utility  
30 district, but does not include the state.

1        NEW SECTION.        **Sec. 201.**        (1) A political subdivision that  
2 conducts an election pursuant to state, county, or local law, may  
3 change its electoral system to a district-based or hybrid election  
4 system by ordinance or resolution of the governing body, or pursuant  
5 to a voter initiative, as provided under section 301 of this act.

6        (2) If a political subdivision invokes its authority under this  
7 section, or as provided under section 301 of this act, to implement a  
8 district-based or hybrid election system, it must adopt a plan  
9 pursuant to section 202 of this act.

10       NEW SECTION.       **Sec. 202.**       (1) Prior to the adoption of its  
11 proposed plan, the political subdivision shall provide full and  
12 reasonable public notice of its actions. The political subdivision  
13 shall hold at least one public hearing on the proposed plan at least  
14 one week before adoption. Notice and information shall be provided in  
15 the same languages offered by the county auditor when printing voter  
16 pamphlets.

17       (2)(a) If the plan is adopted during the period of time between  
18 the first Tuesday after the first Monday of November and on or before  
19 January 15th of the following year, the political subdivision shall  
20 order new elections to occur at the next succeeding general election.

21       (b) If the plan is adopted during the period of time between  
22 January 16th and on or before the first Monday of November, the next  
23 election will occur as scheduled and organized under the current  
24 electoral system, but the political subdivision shall order new  
25 elections to occur pursuant to the remedy at the general election the  
26 following calendar year.

27       (3) If a political subdivision implements a district-based or  
28 hybrid election system, the plan shall be consistent with the  
29 following criteria:

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

33       (b) Each district shall be reasonably compact.

34       (c) Each district shall consist of geographically contiguous  
35 area.

36       (d) To the extent feasible, the district boundaries shall  
37 coincide with existing recognized natural boundaries.

38       (e) District boundaries may not be drawn or maintained in a  
39 manner that favors or disfavors any racial group or political party.

1        NEW SECTION.     **Sec. 203.**     A new section is added to chapter  
2 28A.343 RCW to read as follows:

3        The school board of directors may authorize a change to its  
4 electoral system pursuant to section 201 of this act or by voter  
5 initiative under section 301 of this act. Any staggering of  
6 directors' terms shall be accomplished as provided in RCW 28A.343.030  
7 and 28A.343.600 through 28A.343.650.

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

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

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

22       The commissioners of any county may authorize a change to their  
23 electoral system pursuant to section 201 of this act or by voter  
24 initiative under section 301 of this act. Except where necessary to  
25 comply with a change authorized by voter initiative under section 301  
26 of this act, the lines of the districts shall not be changed  
27 ((oftener)) more often than once in four years and only when a full  
28 board of commissioners is present. The districts shall be designated  
29 as districts numbered one, two and three.

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

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

1 (2) Where the commissioners of a county composed entirely of  
2 islands with a population of less than thirty-five thousand have  
3 chosen to divide the county into unequal-sized commissioner districts  
4 pursuant to the exception provided in RCW 36.32.020, the qualified  
5 electors of the entire county shall nominate from among their own  
6 number who reside within a commissioner district, candidates for the  
7 office of county commissioner of such commissioner district to be  
8 voted for at the following general election. Such candidates shall be  
9 nominated in the same manner as candidates for other county offices  
10 are nominated in all other respects.

11 (3) The commissioners of any county may authorize a change to  
12 their electoral system pursuant to section 201 of this act or by  
13 voter initiative under section 301 of this act.

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

16 The legislative authority of a city or town may authorize a  
17 change to its electoral system pursuant to section 201 of this act or  
18 by voter initiative under section 301 of this act.

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

21 The legislative authority of a code city or town may authorize a  
22 change to its electoral system pursuant to section 201 of this act or  
23 by voter initiative under section 301 of this act.

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

26 The board of fire commissioners of a fire protection district may  
27 authorize a change to its electoral system pursuant to section 201 of  
28 this act by majority vote or by voter initiative under section 301 of  
29 this act.

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

32 The port commission may authorize a change to its electoral  
33 system pursuant to section 201 of this act or by voter initiative  
34 under section 301 of this act.

1        NEW SECTION.        **Sec. 301.**        (1) The voters of a political  
2 subdivision may authorize the governing body of the subdivision to  
3 create a district-based or hybrid election system, in accordance with  
4 section 201 of this act. The authorization may be initiated by a  
5 petition of registered voters of the subdivision filed with the  
6 county auditor of the county where the subdivision is located. If the  
7 petition is signed by at least eight percent of the votes cast within  
8 the subdivision for the office of governor at the last regular  
9 gubernatorial election, the initiative must be submitted to a vote of  
10 the registered voters of the subdivision in the next special or  
11 general election.

12        (2) Petitions must be submitted to the county auditor not less  
13 than four months before the date of such election. The signatures  
14 included on different petitions submitted within the same deadline  
15 period must be added together in regards to meeting the required  
16 number of signatures.

17        (3) If the initiative is approved by a majority of the voters  
18 voting the election, then the subdivision must propose and adopt a  
19 plan to create a district-based or hybrid election system, pursuant  
20 to section 202 of this act.

21        NEW SECTION.        **Sec. 302.**        Sections 101 through 202 and 301 of this  
22 act constitute a new chapter in Title 29A RCW."

23        Correct the title.

EFFECT: Strikes all provisions and replaces with authority for political subdivision to create district-based or hybrid elections by ordinance or by voter initiative.

--- END ---