**6002-S.E AMH WALJ H4335.2 - NOT FOR FLOOR USE**

**ESSB 6002** - H AMD **1166**

By Representative Walsh

**OUT OF ORDER 02/27/2018**

Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Each district shall be reasonably compact.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.