

---

HOUSE BILL 1225

---

State of Washington

57th Legislature

2001 Regular Session

By Representatives Clements, Wood, B. Chandler, G. Chandler, McMorris, Schindler, Lisk, Boldt, Sump, Mulliken, Schoesler, Benson, D. Schmidt, Armstrong, Delvin and Skinner

Read first time 01/22/2001. Referred to Committee on State Government.

1 AN ACT Relating to establishing two senatorial districts in  
2 Washington; amending RCW 44.05.020, 44.05.100, 44.05.120, and  
3 29.15.025; adding a new section to chapter 44.05 RCW; adding a new  
4 section to chapter 29.15 RCW; and providing for submission of this  
5 act to a vote of the people.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 44.05  
8 RCW to read as follows:

9 (1) The redistricting commission shall establish two United  
10 States senatorial districts within the state of Washington. The  
11 districts must be submitted as part of the redistricting plan  
12 established under this chapter, and for purposes of adoption,  
13 modification, or challenge are subject to the procedural  
14 requirements of this chapter.

15 (2) The two senatorial districts must have populations as  
16 nearly equal as is practicable, excluding nonresident military  
17 personnel, based on the population reported in the decennial  
18 census.

1 (3) To the extent consistent with subsection (1) of this  
2 section, the commission should, insofar as practical, ensure:

3 (a) District lines are drawn so as to coincide with the  
4 boundaries of local political subdivisions and areas recognized as  
5 communities of interest;

6 (b) Districts are composed of convenient, contiguous, and  
7 compact territory;

8 (c) Districts, to the extent possible, share a common land  
9 border or geographical boundary running north and south; and

10 (d) Whenever practicable, a precinct must be wholly within a  
11 single senatorial district.

12 (4) The redistricting commission shall assign one senatorial  
13 district to each of the United States senate positions in this  
14 state.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 29.15  
16 RCW to read as follows:

17 (1) A person may not declare his or her candidacy for United  
18 States senator in a senatorial district other than the one in  
19 which he or she is properly registered to vote.

20 (2) A candidate for United States senator must be elected on a  
21 statewide basis, regardless of the senatorial district he or she  
22 represents.

23 **Sec. 3.** RCW 44.05.020 and 1983 c 16 s 2 are each amended to read  
24 as follows:

25 The definitions set forth in this section apply throughout this  
26 chapter, unless the context requires otherwise.

27 (1) "Chief election officer" means the secretary of state.

28 (2) "Federal census" means the decennial census required by  
29 federal law to be prepared by the United States bureau of the  
30 census in each year ending in zero.

31 (3) "Lobbyist" means an individual required to register with  
32 the Washington public disclosure commission pursuant to RCW  
33 42.17.150.

34 (4) "Plan" means a plan for legislative and congressional  
35 redistricting mandated by Article II, section 43 of the state

1 Constitution, and senatorial redistricting mandated by section 1  
2 of this act.

3 **Sec. 4.** RCW 44.05.100 and 1995 c 88 s 1 are each amended to read  
4 as follows:

5 (1) Upon approval of a redistricting plan by three of the  
6 voting members of the commission, but not later than December 15th  
7 of the year ending in one, the commission shall submit the plan to  
8 the legislature.

9 (2) After submission of the plan by the commission, the  
10 legislature shall have the next thirty days during any regular or  
11 special session to amend the commission's plan. If the legislature  
12 amends the commission's plan the legislature's amendment must be  
13 approved by an affirmative vote in each house of two-thirds of the  
14 members elected or appointed thereto, and may not include more  
15 than two percent of the population of any legislative, senatorial,  
16 or congressional district.

17 (3) The plan approved by the commission, with any amendment  
18 approved by the legislature, shall be final upon approval of such  
19 amendment or after expiration of the time provided for legislative  
20 amendment by subsection (2) of this section whichever occurs  
21 first, and shall constitute the districting law applicable to this  
22 state for legislative, senatorial, and congressional elections,  
23 beginning with the next elections held in the year ending in  
24 two. This plan shall be in force until the effective date of the  
25 plan based upon the next succeeding federal decennial census or  
26 until a modified plan takes effect as provided in RCW  
27 44.05.120(6).

28 (4) If three of the voting members of the commission fail to  
29 approve and submit a plan within the time limitations provided in  
30 subsection (1) of this section, the supreme court shall adopt a  
31 plan by March 1st of the year ending in two. Any such plan approved  
32 by the court is final and constitutes the districting law  
33 applicable to this state for legislative, senatorial, and  
34 congressional elections, beginning with the next election held in  
35 the year ending in two. This plan shall be in force until the  
36 effective date of the plan based on the next succeeding federal

1 decennial census or until a modified plan takes effect as provided  
2 in RCW 44.05.120(6).

3 **Sec. 5.** RCW 44.05.120 and 1983 c 16 s 12 are each amended to read  
4 as follows:

5 (1) If a commission has ceased to exist, the legislature may,  
6 upon an affirmative vote in each house of two-thirds of the  
7 members elected or appointed thereto, adopt legislation  
8 reconvening the commission for the purpose of modifying the  
9 redistricting plan.

10 (2) RCW 44.05.050 governs the eligibility of persons to serve  
11 on the reconvened commission. A vacancy involving a voting member  
12 of the reconvened commission shall be filled by the person who  
13 made the initial appointment, or their successor, within fifteen  
14 days after the effective date of the legislation reconvening the  
15 commission. A vacancy involving the nonvoting member of the  
16 commission shall be filled by an affirmative vote of at (~~least~~  
17 ~~{least}~~) least three of four voting members, within fifteen days  
18 after all other vacancies are filled or, if no other vacancies  
19 exist, within fifteen days after the effective date of the  
20 legislation reconvening the commission. A subsequent vacancy on a  
21 reconvened commission shall be filled by the person or persons who  
22 made the initial appointment, or their successor, within fifteen  
23 days after the vacancy occurs. If any appointing authority fails to  
24 make a required appointment within the time limitations  
25 established by this subsection, within five days after that date  
26 the supreme court shall make the required appointment.

27 (3) The provisions of RCW 44.05.070 and 44.05.080 are  
28 applicable if a commission is reconvened under this section.

29 (4) The commission shall complete the modification to the  
30 redistricting plan as soon as possible, but no later than sixty  
31 days after the effective date of the legislation reconvening the  
32 commission. At least three of the voting members shall approve the  
33 modification to the redistricting plan.

34 (5) Following approval of a modification to the redistricting  
35 plan by the commission, the legislature has the next thirty days  
36 during any regular or special session to amend the commission's  
37 modification. Any amendment by the legislature must be approved by

1 an affirmative vote in each house of two-thirds of the members  
2 elected or appointed thereto. No amendment by the legislature may  
3 include more than two percent of the population of any  
4 legislative, senatorial, or congressional district contained in  
5 the commission's modification.

6 (6) The commission's modification to the redistricting plan,  
7 with any amendments approved by the legislature, shall be final  
8 upon approval of the amendments or after expiration of the time  
9 provided for legislative amendment by subsection (5) of this  
10 section, whichever occurs first.

11 (7) Following the period provided by subsection (4) of this  
12 section for the commission's approval of a modification to the  
13 redistricting plan, the commission shall take all necessary steps  
14 to conclude its business and cease operations in accordance with  
15 RCW 44.05.110(1). A reconvened commission shall cease to exist  
16 ninety days after the effective date of the legislation  
17 reconvening the commission, unless the supreme court extends the  
18 commission's term.

19 **Sec. 6.** RCW 29.15.025 and 1999 c 298 s 9 are each amended to read  
20 as follows:

21 (1) A person filing a declaration and affidavit of candidacy  
22 for an office shall, at the time of filing, be a registered voter  
23 and possess the qualifications specified by law for persons who  
24 may be elected to the office.

25 (2) The name of a candidate for an office shall not appear on a  
26 ballot for that office unless, except as provided in RCW 3.46.067  
27 and 3.50.057, the candidate is, at the time the candidate's  
28 declaration and affidavit of candidacy is filed, properly  
29 registered to vote in the geographic area represented by the  
30 office. For the purposes of this section, each geographic area in  
31 which registered voters may cast ballots for an office is  
32 represented by that office. If a person elected to an office must  
33 be nominated from a district or similar division of the geographic  
34 area represented by the office, the name of a candidate for the  
35 office shall not appear on a primary ballot for that office unless  
36 the candidate is, at the time the candidate's declaration and  
37 affidavit of candidacy is filed, properly registered to vote in

1 that district or division. The officer with whom declarations and  
2 affidavits of candidacy must be filed under this title shall  
3 review each such declaration filed regarding compliance with this  
4 subsection.

5 (3) This section does not apply to the office of a member of  
6 the United States congress, except as provided in section 2 of  
7 this act.

8 NEW SECTION. **Sec. 7.** The secretary of state shall submit this  
9 act to the people for their adoption and ratification, or  
10 rejection, at the next general election to be held in this state,  
11 in accordance with Article II, section 1 of the state Constitution  
12 and the laws adopted to facilitate its operation.

--- END ---

