
HOUSE BILL 2610

State of Washington 64th Legislature 2016 Regular Session

By Representatives Riccelli, Ormsby, S. Hunt, and Gregerson

Read first time 01/15/16. Referred to Committee on State Government.

1 AN ACT Relating to county commissioner elections; amending RCW
2 36.32.030, 36.32.050, 36.32.020, 36.32.010, 36.32.055, 36.32.0552,
3 and 36.32.0556; and adding new sections to chapter 36.32 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.32
6 RCW to read as follows:

7 (1)(a) By January 31, 2017, any noncharter county with a
8 population of three hundred thousand or more must establish a
9 redistricting committee, in accordance with section 3 of this act, to
10 divide the county into five commissioner districts. The five
11 commissioner districts established by the redistricting committee
12 must be designated as districts numbered one, two, three, four, and
13 five. Any districting plan adopted by the redistricting committee
14 must designate the initial terms of office for each of the five
15 county commissioner positions, as provided in RCW 36.32.030(2).

16 (b) Beginning in 2018, district elections for all county
17 commissioners of a noncharter county with a population of three
18 hundred thousand or more must be held in accordance with any
19 districting plan adopted by a redistricting committee that is
20 established in accordance with (a) of this subsection.

1 (2) By January 31st of each year ending in one, any noncharter
2 county with a population of three hundred thousand or more must
3 establish a redistricting committee in accordance with section 3 of
4 this act. The redistricting committee must review and adjust as
5 necessary the boundaries of the county's five commissioner districts.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.32
7 RCW to read as follows:

8 (1) Upon the approval of a majority of registered voters in the
9 county, any noncharter county with a population of less than three
10 hundred thousand may choose to hold both district nominations and
11 district elections for the office of county commissioner. Each
12 commissioner must reside in a separate commissioner district and be
13 nominated and elected by the voters of the district in which he or
14 she resides.

15 (2)(a) Upon a petition of county voters equal to at least ten
16 percent of the voters voting at the last county general election, a
17 ballot proposition must be submitted to the voters of the county
18 authorizing district nominations and district elections for the
19 office of county commissioner. At least twenty percent of the
20 signatures on the petition must come from each of the existing
21 commissioner districts.

22 (b) A petition requesting district nominations and district
23 elections of county commissioners must be submitted to the county
24 auditor for verification of signatures. Within thirty days after
25 submission of the petition, the auditor must determine and certify
26 whether the petition contains the requisite number of valid
27 signatures, and then forward the petition to the board of county
28 commissioners. If the petition has been signed by the requisite
29 number of county voters, the board of county commissioners must
30 submit the proposition to the voters for their approval or rejection
31 at the next general election held at least sixty days after the
32 proposition has been certified by the auditor.

33 (3) Within ninety days after a proposition submitted to county
34 voters under this section is approved, the county must establish a
35 redistricting committee in accordance with section 3 of this act. The
36 redistricting committee shall divide the county into three or five
37 commissioner districts, depending on whether the county has three or
38 five commissioner positions. Beginning with the succeeding year,
39 nominations and elections of county commissioners must be held in

1 accordance with the districting plan adopted by the redistricting
2 committee.

3 (4) By January 31st of each year ending in one, any noncharter
4 county with a population of less than three hundred thousand that has
5 chosen to hold district nominations and district elections for the
6 office of county commissioner must establish a redistricting
7 committee in accordance with section 3 of this act. The redistricting
8 committee must review and adjust as necessary the boundaries of the
9 county's commissioner districts.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.32
11 RCW to read as follows:

12 (1) County redistricting committees established under this
13 chapter must have five members appointed in accordance with this
14 subsection. By January 15th of any year in which a redistricting
15 committee is required to be established, or within ninety days after
16 approval of a proposition submitted to voters under section 2 of this
17 act or RCW 36.32.0552, the two largest political parties in the
18 county shall each appoint two members to the committee. A fifth
19 member must be appointed to the redistricting committee by an
20 affirmative vote of at least three of the four committee members
21 appointed by political parties. The fifth appointed member shall
22 serve as chair of the redistricting committee.

23 (2) A vacancy on a redistricting committee must be filled in the
24 same manner as the initial appointment within fifteen days after the
25 vacancy occurs.

26 (3) No person may serve on a redistricting committee who:

27 (a) Is not a registered voter of the state at the time of
28 appointment;

29 (b) Is not a resident of the county;

30 (c) Is or within one year before appointment was a registered
31 lobbyist; or

32 (d) Is or within two years before appointment was an elected
33 official or elected legislative, county, or state party officer.

34 (4) Members of a redistricting committee may not:

35 (a) Campaign for elective office while a member of the committee;

36 (b) Actively participate in or contribute to any political
37 campaign of any candidate for county, state, or federal elective
38 office while a member of the committee; or

1 (c) Hold or campaign for a seat as a county commissioner for two
2 years after the date the redistricting committee concludes its duties
3 under this chapter.

4 (5) Before serving on a county redistricting committee, every
5 person must take and subscribe an oath to faithfully perform the
6 duties of the office.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.32
8 RCW to read as follows:

9 (1) Within thirty days after a redistricting committee is
10 established under this chapter, the committee must appoint by an
11 affirmative vote of at least four of its five members a districting
12 master. The districting master must be qualified by education,
13 training, and experience to draw a districting plan for the county.
14 If a redistricting committee does not appoint a districting master
15 within thirty days, the county auditor must appoint a districting
16 master within the next thirty days.

17 (2) No more than sixty days after the appointment of a
18 districting master to a redistricting committee, the districting
19 master must prepare and submit to the redistricting committee a
20 proposed districting plan dividing the county into three or five
21 commissioner districts, depending on whether the county has three or
22 five commissioner positions.

23 (a) Within fifteen days after the districting plan is submitted,
24 the redistricting committee may:

25 (i) Adopt the districting plan; or

26 (ii) By an affirmative vote of at least four of the five
27 committee members, adopt an amended districting plan.

28 (b) If the redistricting committee does not approve and adopt the
29 original or an amended districting plan within fifteen days after it
30 is submitted by the districting master, the districting plan as
31 submitted must be deemed approved and adopted.

32 (c) The redistricting committee must promptly file the adopted
33 districting plan with the county auditor. The districting plan is
34 effective upon filing.

35 (d) County commissioner elections pursuant to the districting
36 plan filed with the county auditor must begin in the next even-
37 numbered year.

38 (3) Each commissioner district established by a redistricting
39 committee under this section must comprise as nearly as possible

1 either one-third or one-fifth of the population of the county,
2 depending on whether the county has three or five commissioner
3 positions. The boundaries of commissioner districts must:

4 (a) Correspond as nearly as practicable to election precinct
5 boundaries; and

6 (b) Create districts with compact, contiguous territory
7 containing geographic units, natural communities, and approximately
8 equal populations.

9 **Sec. 5.** RCW 36.32.030 and 2015 c 53 s 63 are each amended to
10 read as follows:

11 (1) Except as provided otherwise in subsection (2) of this
12 section or RCW 36.32.0554, the terms of office of county
13 commissioners shall be four years and shall extend until their
14 successors are elected and qualified and assume office in accordance
15 with RCW 29A.60.280(~~(: PROVIDED, That)~~). The terms of office of
16 county commissioners shall be staggered so that:

17 (a) In a county with a three-member board of county
18 commissioners, either one or two commissioners are elected at a
19 general election held in (~~a~~) each even-numbered year; or

20 (b) In a county with a five-member board of county commissioners,
21 either two or three commissioners are elected at a general election
22 held in each even-numbered year.

23 (2)(a) Until January 1, 2019, the term of any county commissioner
24 in a noncharter county with a population of three hundred thousand or
25 more elected to office after January 1, 2016, expires on January 1,
26 2019.

27 (b) At a general election held in 2018, any noncharter county
28 with a population of three hundred thousand or more must elect five
29 county commissioners in accordance with a districting plan adopted
30 under section 4 of this act. The five county commissioners shall
31 begin their terms of office on January 1, 2019, and as designated in
32 the districting plan: Two of the county commissioners shall serve
33 terms of two years, and three of the county commissioners shall serve
34 terms of four years. All successive county commissioners elected to
35 office shall serve staggered terms of four years, with either two or
36 three commissioners elected in each even-numbered year.

37 **Sec. 6.** RCW 36.32.050 and 2009 c 549 s 4063 are each amended to
38 read as follows:

1 (1) Except as provided otherwise in subsection (2) of this
2 section or this chapter, county commissioners shall be elected by the
3 qualified voters of the county and the person receiving the highest
4 number of votes for the office of commissioner for the district in
5 which he or she resides shall be declared duly elected from that
6 district.

7 (2) In any noncharter county with a population of three hundred
8 thousand or more, or in any county that has approved a proposition to
9 hold district nominations and district elections under section 2 of
10 this act, county commissioners must be elected by the qualified
11 electors of the commissioner district in which he or she resides. The
12 person receiving the highest number of votes at a general election
13 for the office of commissioner for the district in which he or she
14 resides must be declared duly elected from that district.

15 **Sec. 7.** RCW 36.32.020 and 1982 c 226 s 4 are each amended to
16 read as follows:

17 (1) Except as provided otherwise in subsection (2) of this
18 section or this chapter, the board of county commissioners of each
19 county shall divide their county into three commissioner districts
20 ((so that each district shall comprise)), each comprising as nearly
21 as possible one-third of the population of the county((~~PROVIDED,~~
22 That the)). Territory comprised in any voting precincts of such
23 districts ((shall)) must remain compact, and ((shall)) may not be
24 divided by the lines of said districts.

25 ((However,)) (2) The commissioners of any county composed
26 entirely of islands and with a population of less than thirty-five
27 thousand may divide their county into three commissioner districts
28 without regard to population, except that if any single island is
29 included in more than one district, the districts on such island
30 ((shall)) must comprise, as nearly as possible, equal populations.

31 (3) The lines of ((the)) commissioner districts ((shall))
32 established in accordance with this section may not be changed
33 oftener than once in four years and only when a full board of
34 commissioners is present. The districts ((shall)) must be designated
35 as districts numbered one, two and three.

36 **Sec. 8.** RCW 36.32.010 and 1990 c 252 s 1 are each amended to
37 read as follows:

1 There is established in each county in this state a board of
2 county commissioners. Except as provided (~~in RCW 36.32.055 and~~
3 ~~36.32.0552~~) otherwise in this chapter, each board of county
4 commissioners shall consist of three qualified electors, two of whom
5 shall constitute a quorum to do business.

6 **Sec. 9.** RCW 36.32.055 and 1990 c 252 s 2 are each amended to
7 read as follows:

8 (1) The board of commissioners of any noncharter county with a
9 population of less than three hundred thousand (~~or more~~) may cause
10 a ballot proposition to be submitted at a general election to the
11 voters of the county authorizing the board of commissioners to be
12 increased to five members.

13 (2) As an alternative procedure, a ballot proposition shall be
14 submitted to the voters of (~~a noncharter~~) the county authorizing
15 the board of commissioners to be increased to five members, upon
16 petition of the county voters equal to at least ten percent of the
17 voters voting at the last county general election. At least twenty
18 percent of the signatures on the petition shall come from each of the
19 existing commissioner districts.

20 (3) Any petition requesting that such an election be held shall
21 be submitted to the county auditor for verification of the signatures
22 thereon. Within no more than thirty days after the submission of the
23 petition, the auditor shall determine if the petition contains the
24 requisite number of valid signatures. The auditor shall certify
25 whether or not the petition has been signed by the requisite number
26 of county voters and forward such petition to the board of county
27 commissioners. If the petition has been signed by the requisite
28 number of county voters, the board of county commissioners shall
29 submit such a proposition to the voters for their approval or
30 rejection at the next general election held at least sixty days after
31 the proposition has been certified by the auditor.

32 **Sec. 10.** RCW 36.32.0552 and 1990 c 252 s 3 are each amended to
33 read as follows:

34 (1) If (~~the~~) a ballot proposition submitted to the voters of a
35 noncharter county with a population of less than three hundred
36 thousand, as provided in RCW 36.32.055, receives majority voter
37 approval, the size of the board of county commissioners shall be
38 increased to five members as provided in this section.

1 (2) The two newly created county commissioner positions shall be
2 filled at elections to be held in the next even-numbered year.

3 (3)(a) Within ninety days after a proposition submitted to county
4 voters under this section is approved, the county shall~~((, as~~
5 ~~provided in this section, be divided))~~ establish a redistricting
6 committee, in accordance with section 3 of this act, to divide the
7 county into five commissioner districts, so that each district shall
8 comprise as nearly as possible one-fifth of the population of the
9 county. ~~((No two members of the existing board of county~~
10 ~~commissioners may, at the time of the designation of such districts,~~
11 ~~permanently reside in one of the five districts. The division of the~~
12 ~~county into five districts shall be accomplished as follows:~~

13 ~~(1) The board of county commissioners shall, by the second Monday~~
14 ~~of March of the year following the election, adopt a resolution~~
15 ~~creating the districts;~~

16 ~~(2) If by the second Tuesday of March of the year following the~~
17 ~~election the board of county commissioners has failed to create the~~
18 ~~districts, the prosecuting attorney of the county shall petition the~~
19 ~~superior court of the county to appoint a referee to designate the~~
20 ~~five commissioner districts. The referee shall designate such~~
21 ~~districts by no later than June 1st of the year following the~~
22 ~~election. The two commissioner districts within which no existing~~
23 ~~member of the board of county commissioners permanently resides shall~~
24 ~~be designated as districts four and five.))~~

25 (b) By January 31st of each year ending in one, the county must
26 establish a redistricting committee in accordance with section 3 of
27 this act. The redistricting committee must review and adjust as
28 necessary the boundaries of the county's five commissioner districts.

29 **Sec. 11.** RCW 36.32.0556 and 1990 c 252 s 5 are each amended to
30 read as follows:

31 ~~((The commissioners in a five member board of county~~
32 ~~commissioners shall be elected to four year staggered terms. Each~~
33 ~~commissioner shall reside in a separate commissioner district. Each~~
34 ~~commissioner shall be nominated from a separate commissioner district~~
35 ~~by the voters of that district. Each shall be elected by the voters~~
36 ~~of the entire county.)) Three members of a five-member board of~~
37 ~~commissioners shall constitute a quorum to do business.~~

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