

HOUSE BILL REPORT

HB 2434

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to county canvassing board membership.

Brief Description: Providing an employee of the county legislative authority may be appointed to the county canvassing board.

Sponsors: Representatives Miloscia, Hunt and Nelson.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/16/08, 1/25/08 [DPS].

Brief Summary of Substitute Bill

- For home rule charter counties, an employee who reports directly to the chair of the legislative body may be designated to sit on the county canvassing board when the chair is unavailable.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Hunt, Chair; Appleton, Vice Chair; Lias, Miloscia and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Kretz.

Staff: Colleen Kerr (786-7168).

Background:

County canvassing boards (board) consist of the county auditor, who is the chair, the county prosecuting attorney, and the chair of the county legislative body. In the event a member is unavailable to carry out the duties of the board then he or she may designate an alternate: the county auditor may designate a deputy auditor; the county prosecutor may designate a deputy

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prosecuting attorney; and the chair of the county legislative body may designate another member of the legislative body.

Summary of Substitute Bill:

The substitute bill allows the chair of the legislative body in a county with 500,000 or more registered voters to designate an employee who reports directly to the chair on the board when the chair is unavailable. It also requires the designates to complete statutory training and take an oath of office.

Substitute Bill Compared to Original Bill:

The substitute bill removes the provisions that would allow the chair of the legislative body to designate an employee who reports directly to the chair on the board when the chair is unavailable in home rule charter counties and limits it to those counties with 500,000 or more registered voters. It also requires the designates to complete statutory training and take an oath of office.

Appropriation: None.

Fiscal Note: Requested on January 25, 2008.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) Senior staff that reports to the legislative bodies in home rule counties are usually lawyers or other professionally qualified and highly trained individuals who are very able to fulfill the duties of the chair on the county canvassing board when he or she is unavailable. Currently, the county auditor or prosecuting attorney may appoint an employee; the legislative body in home rule counties should have the same opportunity.

(Opposed) This bill does not improve the integrity of elections. Being elected to a county legislative board carries with it the implicit duty of sitting on the county canvassing board. It is important for consistency that the legislative body designate someone properly qualified. This is especially true because deputies who sit on the board take an oath of office, employees of the legislative body do not.

The county canvassing board is carefully balanced to represent the different groups involved in an election. The county auditor represents the elections division, the prosecutor represents enforcement, and the legislative body represents the voters. The council members who participate on the county canvassing board then have a special responsibility to those who elected them to participate. A change such as this one contradicts the tenets of accountability set up by the inherent balance of the county canvassing board.

Persons Testifying: (In support) Representative Miloscia, prime sponsor; Larry Phillips, King County; and Julie Murray, Washington State Association of Counties.

(Opposed) Shirley Forslof, Walt Washington, Milene Henley, and Mike Garrison, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: None.