



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

June 9, 2008

Ordinance 16128

Proposed No. 2008-0311.3

Sponsors Phillips, Ferguson, Gossett,
Patterson and Constantine

1 AN ORDINANCE related to elections; rejecting Initiative
2 26 and adopting an alterative ordinance to amend the King
3 County Charter to make the offices of King County
4 executive, King County assessor and King County council
5 nonpartisan, to establish the nonpartisan selection of
6 districting committee members, and to allow candidates for
7 the office of King County executive, King County assessor
8 and King County council to state his or her preference for a
9 political party, or not state a preference, to be submitted to
10 the voters at the August 19, 2008, special election; calling a
11 special election for Initiative 26 and this alternative
12 ordinance; amending Section 610 of the King County
13 Charter, Section 640 of the King County Charter, Section
14 650.20 of the King County Charter, Section 650.30.20 of
15 the King County Charter and Section 680.10 of the King
16 County Charter, repealing Section 620 of the King County
17 Charter; and calling a special election for this ordinance.

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STATEMENT OF FACTS:

1. Section 230.50 of the King County Charter specifies a county initiative process whereby the public may propose a county ordinance by filing with the council the required number of signed petitions from registered county voters.
2. A county initiative proposing an amendment to the King County Charter to make the offices of King County executive, King County assessor, King County assessor and King County council nonpartisan and to establish the nonpartisan selection of districting committee members has been proposed ("Initiative 26").
3. On December 20, 2007, in accordance with K.C.C. 1.16.050, the King County prosecutor's office prepared a ballot title for the proposed Initiative 26 measure, which is, "This initiative would place the following proposed charter amendment on the November 2008 general election ballot: Shall the King County Charter be amended to make the offices of King County executive, King County assessor and King County council nonpartisan, and to establish the nonpartisan selection of districting committee members? Should this initiative be adopted?"
4. On January 2, 2008, in accordance with Section 230.50 of the King County Charter, the clerk of the council approved as to the form the proposed petitions for Initiative 26.

40 5. On April 1, 2008, there were four thousand six hundred petitions filed
41 for Initiative 26 by the initiative's sponsor with the clerk of the council.

42 6. On May 14, 2008, the King County elections division director certified
43 that the number of valid signatures is sufficient for the initiative to be
44 deemed proposed.

45 7. Section 230.50 of the King County Charter authorizes the county
46 council to adopt an alternative ordinance to an initiative proposed
47 ordinance and submit the alternative ordinance for voter approval or
48 rejection on the same ballot as the initiative proposed ordinance.

49 8. On the August 19, 2008 ballot, voters would first be given the choice of
50 either rejecting both Initiative 26 and this alternative proposed ordinance;
51 or accepting either Initiative 26 or this alternative proposed ordinance.

52 9. If a majority votes to accept either Initiative 26 or this alternative
53 proposed ordinance, the underlying charter amendment from the proposed
54 ordinance receiving the most votes would be placed on the November 4,
55 2008 ballot.

56 10. On May 2, 2008, the state of Washington secretary of state issued a
57 rule-making order, WAC 434-215-120, for immediate adoption for the
58 purpose of implementing state Initiative 872 for the 2008 primary and
59 general elections. Under this rule, candidates for partisan office may state
60 their preferred party identification on the declaration of candidacy and if a
61 preferred party identification is stated, it will appear on the ballot. A
62 candidate may also choose to not state a preference for a political party. A

63 candidate's preference may not imply that the candidate is nominated or
64 endorsed by the party, or that the party approves of or associates with that
65 candidate.

66 11. The King County council finds that for elections to the offices of King
67 County executive, King County assessor and King County council, the
68 citizens of King County are better served by having information provided
69 to them on the ballot on a candidate's preferred political party preference
70 so long as the candidate's preference, if any, does not imply that the
71 candidate is nominated or endorsed by the party, or that the party approves
72 of or associates with that candidate.

73 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

74 SECTION 1. Initiative 26 is hereby rejected.

75 SECTION 2. This alternative ordinance to make the offices of King County
76 executive, King County assessor and King County council nonpartisan, to establish the
77 nonpartisan selection of districting committee members, and to allow candidates for the
78 offices of King County executive, King County assessor and King County council to state
79 their preference for a political party, or not state a preference is hereby adopted.

80 SECTION 3. This alternative ordinance shall be submitted along with Initiative
81 26 to the qualified voters of King County for their approval and ratification or rejection,
82 at a special election held on August 19, 2008. If this alternative ordinance is approved,
83 there shall be submitted to the qualified voters of King County for their approval and
84 ratification or rejection, at the November 2008 general election, an amendment to the

85 King County Charter by amending Section 610, Section 640, Section 650.20, Section
86 650.30.20 and Section 680.10 and repealing Section 620, to read as follows:

87 **Section 610. Election Procedures.** ~~((Except as provided in the Article, t))~~The
88 nominating primaries and elections for the offices of King County executive, King
89 County assessor and King County council shall be conducted in accordance with general
90 law governing the election of ~~((partisan))~~ nonpartisan county officers. Candidates for the
91 offices of King County executive, King County assessor, King County sheriff and King
92 County council may state their political party preference or no party preference on the
93 declaration of candidacy form and have that preference, if any, appear on the ballot.

94 **Section 640. County Executive and Assessor.** The county executive and county
95 assessor shall be nominated and elected as nonpartisan offices by the voters of the
96 county. The nomination and election of the county executive and county assessor shall
97 be held every four years as a county general election at the same time as the general
98 election for cities in the county commencing with the election of 1971 for the county
99 assessor and with the election of 1973 for the county executive.

100 **Section 650.20. Nomination and Election.** County councilmembers shall be
101 nominated and elected as nonpartisan offices by the voters of each councilmember's
102 respective district. The nomination and election of ~~((councilmen))~~ councilmembers shall
103 be held every four years as a county general election at the same time as the general
104 election for cities in the county commencing in even-numbered districts with the election
105 of 1971 and in odd-numbered districts with the election of 1973.

106 **Section 650.30.20. Districting Committee.** During the month of January, 2001,
107 and by January 31~~((st))~~ of each tenth year thereafter, a five-member districting committee

108 shall be appointed. The county council shall appoint four persons to the committee, ((two
109 from each of the two major political parties;)) the four to appoint the fifth who shall be
110 the chairperson. The districting committee shall no later than April 1 following their
111 appointment meet and appoint a districting master who shall be qualified by education,
112 training and experience to draw a districting plan. If the districting committee is unable
113 to agree upon the appointment of a districting master by April 1, the county council shall
114 appoint a districting master by May 31((st)) of the year.

115 **Section 680.10. Designation, Appointment and Election to Fill Vacancy.**

116 Immediately upon commencing their terms of office, the county executive, assessor and
117 sheriff shall each designate one or more employees who serve as a deputy or assistant in
118 such office to serve as an interim official in the event of a vacancy in the elective office
119 of the county executive, assessor((;)) or sheriff, respectively.

120 Except for a designation made by the metropolitan county council, a designation
121 of an interim official shall only be effective if the county executive, assessor and sheriff,
122 each for his or her elective office, complies with the following procedure; commits the
123 designation to writing; identifies the order of precedence if more than one county officer
124 or employee is designated; signs the written designation; has the written designation
125 notarized; files the written designation with the county office responsible for records
126 ((and elections)); and((;)) provides a copy of the written designation to the chair of the
127 metropolitan county council. The county executive, assessor and sheriff may, at any
128 time, amend such designation by complying with the same procedure established for
129 making the designation.

130 In the event the county executive, assessor((;)) or sheriff neglects or fails to make
131 such a designation within seven calendar days of commencing his or her term of office,
132 the metropolitan county council may by ordinance designate one or more employees who
133 serve as a deputy or assistant in such office to serve as an interim official in the event of a
134 vacancy in the elective office of the county executive, assessor((;)) or sheriff,
135 respectively. A designation made by the metropolitan county council shall be effective
136 upon adoption of the ordinance therefor and may be amended by ordinance; provided that
137 a designation by the county executive, assessor((;)) or sheriff which occurs subsequent to
138 the adoption of an ordinance shall take precedence over the designation by ordinance.

139 The designated county officer or employee shall immediately upon the occurrence
140 of a vacancy serve as the interim official and shall exercise all the powers and duties of
141 the office granted by this charter and general law until an acting official is appointed as
142 provided in this section.

143 The metropolitan county council shall, after being appraised of a vacancy in the
144 elective office of county executive, assessor or sheriff, fill the vacancy by the
145 appointment of an employee who served as a deputy or assistant in such office at the time
146 vacancy occurred as an acting official to perform all necessary duties to continue normal
147 office operations. The acting official shall serve until the vacancy is filled by
148 appointment (~~pursuant to Article II, section 15, of the Washington State Constitution for~~
149 ~~partisan county elective offices or~~) pursuant to general law for nonpartisan county
150 elective offices(~~(, as applicable)~~).

151 A vacancy in an elective county office shall be filled at the next primary and
152 general elections which occur in the county; provided that an election to fill the vacancy

153 shall not be held if the successor to the vacated office will be elected at the next general
154 election as provided in Sections 640 and 645 of this charter. The term of office of an
155 officer who has been elected to fill a vacancy shall only be for the unexpired portion of
156 the term of the officer whose office has become vacant and shall commence as soon as he
157 or she is elected and qualified.

158 A majority of the county council may temporarily fill a vacancy by appointment
159 until the vacancy has been filled by election or the successor to the office has been elected
160 and qualified.

161 **Section 620 repealed.** Section 620, "Independent Candidates," of the King
162 County Charter is hereby repealed.

163 SECTION 4. If this ordinance is enacted, the ballot title for the proposed charter
164 amendment shall be in substantially the following form, with such additions, deletions or
165 modifications as may be required by the prosecuting attorney: "Shall the King County
166 Charter be amended to make the offices of King County executive, King County assessor
167 and King County council nonpartisan, to establish the nonpartisan selection of districting
168 committee members, and to allow candidates for these county offices the option of
169 having their political party preference appear on the ballot? Should this charter
170 amendment be adopted?"

171 SECTION 5. A. If this ordinance is approved by a majority of the voters voting
172 on the issue, it shall become enacted when the results of the election are certified.

173 B. If this ordinance is enacted, the question of amendment of the King County

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173 Charter shall be submitted to the qualified voters of King County for their approval and
174 ratification or rejection at the November 2008 general election.

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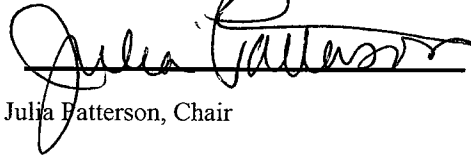
Ordinance 16128 was introduced on 6/2/2008 and passed as amended by the
Metropolitan King County Council on 6/9/2008, by the following vote:

Yes: 5 - Ms. Patterson, Mr. Constantine, Mr. Ferguson, Mr. Gossett and Mr.
Phillips

No: 4 - Mr. Dunn, Ms. Lambert, Mr. von Reichbauer and Ms. Hague

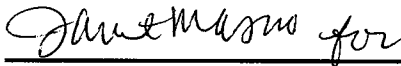
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Julia Patterson, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments None