Legislation Details (With Text)

File #:	2016-0044 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	1/19/2016	**In control:**	Committee of the Whole
On agenda:		**Final action:**	6/27/2016
Enactment date:	6/28/2016	**Enactment #:**	18308

Title: AN ORDINANCE proposing an amendment to the King County Charter to make the office of King County prosecuting attorney nonpartisan; amending Section 610 of the King County Charter; adding a new Section 649 to the King County Charter; amending Section 680.10 of the King County Charter; and submitting the same to the qualified voters of the county for their approval or rejection at the next general election occurring more than forty-five days after the enactment of this ordinance.

Sponsors: Larry Gossett, Kathy Lambert

Indexes: Charter, Prosecuting Attorney

Code sections: 610 -, 649 - *

Attachments: 1. Ordinance 18308.pdf, 2. 2016-0044_SR_Nonpartisan_Prosecuting_Attorney_Charter_Amendment.docx, 3. 2016-0044_ATT1_Proposed_Ordinance.pdf, 4. 2016-0044_ATT2_Attorney_General_Opinion_2015_No._6.pdf, 5. 2016-0044_ATT3_County Forms of Government_MRSC.pdf, 6. 2016-0044_SR_Nonpartisan_Prosecuting_Attorney_Charter_Amendment.docx, 7. 2016-0044_ATT1_Proposed_Ordinance.pdf

Date	Ver.	Action By	Action	Result
6/27/2016	1	Metropolitan King County Council	Hearing Held	
6/27/2016	1	Metropolitan King County Council	Passed	Pass
6/15/2016	1	Committee of the Whole	Recommended Do Pass	Pass
6/1/2016	1	Committee of the Whole	Deferred	
1/19/2016	1	Metropolitan King County Council	Introduced and Referred	

Clerk 01/08/2016

AN ORDINANCE proposing an amendment to the King County Charter to make the office of King County prosecuting attorney nonpartisan; amending Section 610 of the King County Charter; adding a new Section 649 to the King County Charter; amending Section 680.10 of the King County Charter; and submitting the same to the qualified voters of the county for their approval or rejection at the next general election occurring more than forty-five days after the enactment of

this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There shall be submitted to the voters of King County for their approval or rejection, at the next general election to be held in this county occurring more than forty-five days after the enactment of this ordinance, an amendment to Section 610 of the King County Charter; the addition of a new Section 649 to the King County Charter; and an amendment to Section 680.10 of the King County Charter, to read as follows:

Section 610 Election Procedures.

The nominating primaries and elections for the offices of King County executive, King County assessor ((~~and~~)), King County council and King County prosecuting attorney shall be conducted in accordance with general law governing the election of nonpartisan county officers.

Section 649 Prosecuting Attorney.

The county prosecuting attorney shall be elected as a nonpartisan office by the voters of the county, and the term of office shall be four years and until his or her successor is elected and qualified. Notwithstanding any section of this charter to the contrary, the qualifications for office and the timing of election shall be as prescribed in state law.

Section 680.10 Designation, Appointment and Election to Fill Vacancy.

Immediately upon commencing their terms of office, the county executive, county assessor, county director of elections, county prosecuting attorney and county sheriff shall each designate one or more employees who serve as a deputy or assistant in such office to serve as an interim official in the event of a vacancy in the elective office of the county executive, county assessor, county director of elections, county prosecuting attorney or county sheriff, respectively.

Except for a designation made by the metropolitan county council, a designation of an interim official shall only be effective if the county executive, county assessor, county director of elections, county prosecuting attorney and county sheriff, each for his or her elective office, complies with the following procedure: commits

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the designation to writing; identifies the order of precedence if more than one county officer or employee is designated; signs the written designation; has the written designation notarized; files the written designation with the county office responsible for records; and provides a copy of the written designation to the chair of the metropolitan county council. The county executive, county assessor, county director of elections, county prosecuting attorney and county sheriff may, at any time, amend such designation by complying with the same procedure established for making the designation.

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

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

The metropolitan county council shall, after being appraised of a vacancy in the elective office of county executive, county assessor, county director of elections, county prosecuting attorney or county sheriff, fill the vacancy by the appointment of an employee who served as a deputy or assistant in such office at the time the vacancy occurred as an acting official to perform all necessary duties to continue normal office operations. The acting official shall serve until the vacancy is filled by appointment pursuant to general law for

nonpartisan county elective offices.

A vacancy in an elective county office shall be filled at the next primary and general elections which occur in the county; provided that an election to fill the vacancy shall not be held if the successor to the vacated office will be elected at the next general election as provided in Sections 640 and 645 of this charter. The term of office of an officer who has been elected to fill a vacancy shall only be for the unexpired portion of the term of the officer whose office has become vacant and shall commence as soon as he or she is elected and qualified.

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

SECTION 2. The clerk of the council shall certify the proposition to the county elections director, in substantially the following form, with such additions, deletions or modifications as may be required by the prosecuting attorney:

Shall the King County Charter be amended to make the elected office of King County prosecuting attorney nonpartisan?

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