

PROPOSITION 5

Elections Provisions

A. Proposed Ballot Title:

The Snohomish County Charter Review Commission has proposed amendments to the Snohomish County Charter concerning technical revisions and clarifications to certain elections provisions. This measure would clarify and amend certain election provisions in the Snohomish County Charter to ensure consistency and compliance with recent changes in state law. Should this proposal be:

Approved.....□

Rejected.....□

B. Charter Amendments Required:

Section 4.10 Election Procedures

Except as provided in this article, ~~the nominating~~ primaries and elections shall be conducted in accordance with general law governing the election of ~~partisan~~ county officials.

Section 4.20 — Independent Candidates

~~On or before the last day for filing a declaration of candidacy as a candidate in a major political party primary, anyone qualified to assume office, if elected, may file a declaration of candidacy as an "Independent".~~

~~Any candidate who files a declaration of candidacy as an independent shall be placed on the primary ballot under the title "Independent".~~

~~Anyone who files a declaration of candidacy for a county office as an independent shall not be a candidate for any political party in that primary or in the succeeding general election and shall pay the filing fee required for a declaration of candidacy for a major political party primary.~~

~~The candidate who receives a plurality of the votes cast for independent candidates for an office shall be placed on the ballot at the ensuing general election under the heading "Independent"; provided, however, the candidate receives at least the percentage required by state law of the total vote cast for that office.~~

Section 4.30 Qualifications — Limitations

Each county official holding an elective office shall be, at the time of appointment or election and at all times while holding office, a citizen of the United States over the age of twenty-one ~~and a three year~~, a county resident and registered voter of Snohomish County at for the time of three years immediately prior to filing for or appointment to

office, ~~and a registered voter of the county.~~ No person shall be eligible to be elected to more than three consecutive full terms for any office. For the purposes of this section, different positions on the county council shall not be considered different offices.

Section 4.60 Districting Committee

Within ~~sixty~~thirty days after each federal decennial census data is received from the state redistricting commission or its successor, a five-member districting committee shall be appointed. The county council shall appoint four persons to the committee, two from each major political party from a list of five submitted by the party's central committee, the four to appoint the fifth who shall be chair. Members of the districting committee shall serve without salary but shall be compensated for reasonable-out-of-pocket expenses. The districting committee shall within thirty days of its appointment, meet and appoint a districting master who shall be qualified by education, training and experience to draw a redistricting plan. If the districting committee is unable to agree upon the appointment of a districting master within thirty days, the county council shall appoint a districting master.

Section 4.70 Districting Plan

Within ~~two months~~one month after appointment, the districting master shall draw a districting plan for the county which shall be submitted to the committee for adoption. Following public hearing at least one week in advance, the districting committee shall adopt the districting plan within thirty days as submitted or as amended by four affirmative votes of the committee members. ~~The plan upon~~ Upon adoption, the plan shall be filed with the county council by the districting committee. No later than ~~eight months after~~the first day of June following the receipt of the census data from the state, the county council shall adopt by ordinance a districting plan.

Section 4.80 Vacancies

An elective office shall become vacant on the death, resignation or recall of the official or if he ceases being resident of Snohomish county or is absent from the county for thirty consecutive days without being excused by the council. The council shall fill a vacancy from a list of three people submitted by the county central committee of the party which the official in office immediately prior to the vacancy represented. In the event that the official in office immediately prior to the vacancy was ~~an independent or a~~ non-partisan candidate, the vacancy shall be filled by the council.

Vacancies in elective office shall be filled at the next November general election, unless the vacancy occurs after the last day for filing declarations of candidacy, in which case the vacancy shall be filled at the next succeeding November general election. The person elected shall take office upon certification of the results of the election and shall serve the unexpired term of the vacated office. Until a successor has been elected and certified, a majority of the council shall fill the vacancy by appointment. All persons appointed to fill vacancies shall meet the qualifications for office set forth in this charter.

Section 5.40 Initiative — Procedure

Any registered voter of Snohomish county may file an initiative proposal containing the full text of the ordinance or amendment and proposed ballot title with the officer in charge of holding elections ~~who~~. The officer in charge of holding elections shall give the proposed initiative a number, which shall thereafter be the identifying number for the measure and shall transmit a copy of the proposal to the Prosecuting Attorney, who within ten working days, of the filing date, shall formulate a concise statement, posed as a positive question, not to exceed fifty words, which shall express and give a true and impartial statement which shall be the ballot title. The prosecuting attorney shall ~~register the initiative petition~~ file the ballot title with the officer in charge of holding elections, who shall ~~give the proposed initiative a number, which shall thereafter be the identifying number for the measure.~~ provide notice of the ballot title to the petitioner. The ballot title shall be subject to appeal in accordance with state law. Within fifteen working days after the ballot title is filed with the officer in charge of holding elections or, if the ballot title is appealed, within five working days after a final decision of the court on the appeal, the officer in charge of holding elections shall confer with the petitioner to review and establish the form and style of the initiative petition as required by such officer or ordinance.

The petitioner shall have ninety days from the day after such officer confers with the petitioner as to form and style of the initiative petition to collect the signatures of the registered voters of the county equal in number to not less than seven percent of the number of votes cast in the county in the last governor's election. Each petition shall contain the warning clause prescribed by state law, the full text of the proposed measure, ordinance or amendment to an ordinance and the ballot title. If the initiative proposal is identical to a mini-initiative that was rejected by the council, the initiative petition may include signatures collected for the mini-initiative.

The officer in charge of holding elections shall verify the sufficiency of the signatures on the petition and, if it is validated, submit the proposal to the people at the next general ~~or special~~ election ~~date, as designated by state law, said date~~ being not less than sixty than one hundred twenty days from the submission of the petition for signature verification, unless the county council enacts the proposal without change or amendment not less than ~~forty five~~ ninety days prior to said election. If the county council does not adopt the proposed measure and adopts a substitute measure concerning the same subject matter not more than fifteen days after the petition has been validated, the substitute measure shall be placed on the same ballot with the initiative proposal.

The voters shall be given the choice of accepting either or rejecting both and shall then be given the choice of accepting one and rejecting the other. If a majority of the voters voting on the first issue is for accepting either, then the measure receiving the majority of the votes cast on the second issue shall be deemed approved. If a majority of those voting on the first issue is for rejecting both, then neither measure shall be approved regardless of the vote on the second issue.

Section 5.80 Referendum — Procedure

Within ten days after the ordinance is passed by the county council, any registered voter of Snohomish County may file a referendum petition signed by one hundred (100)

registered voters of Snohomish County against the ordinance or portion thereof with the officer in charge of holding elections. Within 15 days of the filing of the petition, the officer in charge of holding elections shall verify the sufficiency of the signatures. After filing of the referendum petition, and verification of the signatures on the referendum petition, the ordinance or portion thereof so referred shall be suspended until the officer in charge of holding elections shall determine that petitions with sufficient numbers of signatures to place the referendum on the ballot have not been filed within the allocated time, or until the voters have ratified and approved the ordinance or portion thereof. The filing of a referendum petition against a portion of an ordinance shall not delay the remainder of the measure from taking effect.

Within five working days of filing the referendum petition, the officer in charge of holding elections shall confer with the petitioner to review the proposal as to form and style as required by such officer or ordinance. The officer in charge of holding elections shall give the referendum petition a number, which shall thereafter be the identifying number for the measure and shall then transmit a copy of the petition to the prosecuting attorney, who within ten working days after receipt thereof, shall formulate a concise statement, posed as a question, not to exceed fifty words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title. The prosecuting attorney shall then ~~register the referendum petition~~ file the ballot title with the officer in charge of holding elections, who shall provide notice of the ballot title to the petitioner. The ballot title shall be subject to appeal in accordance with state law.

The petitioner shall have forty-five days ~~from registration~~ after the ballot title is filed with the officer in charge of holding elections or, if the ballot title is appealed, forty-five days after a final decision of the court on the appeal to collect the signatures of registered voters of the county equal in number to not less than five percent of the number of votes cast in the county in the last governor's election. Each petition shall contain the full text of the measure being referred and the ballot title.

The officer in charge of holding elections shall verify the sufficiency of the signatures on the petition and, if it is validated, submit the measure to the people at the next general ~~or special~~ election ~~date, as designated by state law, said date~~ being not less than ~~sixtyone~~ hundred twenty days from the submission of the petition for signature verification.

Section 8.70 Amendments by the Public

~~The~~ Any member of the public may propose amendments to the charter ~~by registering with the officer in charge of holding elections an initiative petition bearing the signatures of registered voters of the county equal to but not less than twenty percent of the number of votes cast in the county in the last governor's election. Signatures shall be registered not more than one hundred twenty days following filing of the petition with the~~ in accordance with this section. A petitioner shall first file the full text of the proposed amendment with the officer in charge of holding elections who shall give the proposed amendment a number, which shall thereafter be the identifying number for the amendment, and shall transmit a copy of the proposal to the Prosecuting Attorney, who within ten working days of the filing date, shall formulate a concise statement, posed as a positive question, not to exceed fifty words, which shall express and give a true and impartial statement which shall be the ballot title. The prosecuting attorney shall file the

ballot title with the officer in charge of holding elections, who shall provide notice of the ballot title to the petitioner. The ballot title shall be subject to appeal in accordance with state law. Within fifteen working days after the ballot title is filed with the officer in charge of holding elections or, if the ballot title is appealed, within five working days after a final decision of the court, the officer in charge of holding elections shall confer with the petitioner to review and establish the form and style of the amendment petition as required by such officer.

The petitioner shall have one hundred twenty days from the day after such officer confers with the petitioner as to form and style of the amendment petition to collect the signatures of the registered voters of the county equal in number to not less than twenty percent of the number of votes cast in the county in the last governor's election. Each petition shall contain the warning clause prescribed by state law, the full text of the proposed amendment and the ballot title.

The officer in charge of holding elections shall verify the sufficiency of the signatures on the petition and, if it is validated, submit the proposal to the people at the next general election being not less than one hundred twenty days from the submission of the petition for signature verification.