



Pierce County Charter Review Commission Fact Sheet

Prepared by the Pierce County Auditor's Office

February 11, 2015

Positions to be Elected

- A total of 21 Charter Review Commissioner Positions.
- Three elected from each of the seven County Council districts.
- Positions will be numbered 1, 2, and 3 from each district.

Requirements

- Must be resident of the County for a period of at least five years preceding the election.
- Must reside in the Council District of the position for which they are filing.
- Must be a registered voter.

Candidate Filing

- May 11 – May 15, 2015
- Filing Fee: \$15.00
- File online: Monday, May 11 at 9:00 a.m. – Friday, May 15 at 4:00 p.m. at piercecounyelections.org
- File in person, using computer kiosk
Pierce County Election Center
2501 S. 35th St, Suite C
Tacoma, WA 98409
- Candidate filing closes Friday, May 15, 2015 at 4:30 p.m. (in person only)
- Deadline to submit online voters' pamphlet information - Friday, May 22, 2015 at 4:30 p.m.

Election of Charter Review Commissioners

- The Charter Review Commissioners are nonpartisan positions and are governed by the rules for nonpartisan elections.
- If three or more candidates file for any one office a Primary Election will be held. The top two vote getters will then advance to the General Election.
- If only one or two candidates file for an office – no primary will be held. The position will go directly to the General Election.
- All commissioners will be elected at the General Election.

The Commission

- The candidate who receives the greatest number of votes shall convene the commission.
- The term of office shall be no more than six months.
- Members shall serve without salary, but shall be reimbursed for reasonable expenses.
- The commission shall make proposed amendments to the Pierce County Charter, to be voted upon by the citizens of Pierce County.
- Proposed charter amendments will be placed on the 2016 November General Election ballot.

Frequently Asked Questions

- Q:** A candidate must reside in Pierce County for five (5) years. Does this mean the last five years? Or, can this requirement be satisfied by prior years in residence? Example: "I lived in Pierce County four years ago and recently returned."
- A:** The Auditor's Office advises candidates that they are required to reside within Pierce County for at least five years immediately preceding the election. While this qualification is not part of the Elections Division's verification process for candidate filing, it could be subject to a voter challenge. We urge caution.
- Q:** Must a candidate be a resident of the County Council district in which they're filing? Example: I'm a resident of Council District 4. May I file for a position in Council District 7?"
- A:** We interpret the Charter to mean that candidates must be registered voters in the Council District for which they file, at the time that they file. To run for a position in Council District 7, the candidate must be a registered voter in Council District 7. The Elections Division will verify a candidate's voter registration. Candidates who attempt to file outside of their Council District will have their candidate filing rejected.

Candidates are NOT required to have been registered in that Council District for the past five years. A candidate may update their voter registration and may file in that Council district.

Section 8.20 of the County Charter states, "The Commission shall consist of 21 persons, an equal number from each Council district . . . " "From" is the operative word. "Equal number" is also, it indicates that the Charter intends the representation to be fair and proportionate. Allowing 10 of the 21 Commissioners to come from one Council district is in conflict with the Charter's intention.

This is the same interpretation and practice that was used to elect Freeholders and all subsequent Charter Review Commissioners.

- Q:** Why does the Auditor's Office website show the Charter Review candidates as filing for a "One year Term?" It should say, "no more than 6 months."
- A:** Yes, the term of office is six months. The "one year" display is an unfortunate side effect of the State's filing system, which requires integers.

PIERCE COUNTY CHARTER - ARTICLE 8 -- CHARTER REVIEW AND AMENDMENT

Section 8.10 -- Charter Review Commission

This Charter shall be reviewed periodically by a Charter Review Commission as provided in this Article. (Originally Adopted November 4, 1980)

Section 8.20 -- Election and Period of Office

Within no less than four years, and no more than six years, of the effective date of this Charter, and thereafter at least every ten years, the Council shall cause an election of a Charter Review Commission, hereinafter referred to as the Commission. The Commission shall consist of 21 persons, an equal number from each Council district, nominated and elected by position on a non-partisan ballot in accordance with general law. Candidates for the Commission must have been residents of the County for a period of at least five years preceding their election, and must also be registered voters. There shall be a \$15.00 filing fee. The member of the Commission who receives the greatest number of votes shall convene the Commission. The term of office shall be no more than six months. The Commission may meet at such times and in such places as it deems appropriate upon having given public notice. (Originally Adopted November 4, 1980)

Section 8.30 -- Vacancy

Any vacancy on the Commission shall be filled by the remaining members of the Commission within 30 days, provided that within 14 days of the declaration of a vacancy, notice shall be given to the residents of the district in which the vacancy occurs in such manner as the Commission in its discretion deems advisable. Selection of the person to fill the vacancy shall be from those residing in the district in which there is a vacancy by a majority vote of the Commission. (Originally Adopted November 4, 1980)

Section 8.40 -- Procedures

The Commission shall review the Charter to determine its adequacy and suitability to the needs of the County and may propose amendments. The Commission may also make recommendations to the Council and publish its findings. Members of the Commission shall serve without salary, but shall be reimbursed for reasonable expenses. The Council shall provide to the Commission reasonable funds, facilities and services appropriate to an elected County agency. Provisions for expenditures shall be made in the budget. Expenditures of the Commission shall be budgeted for their scheduled term of office. (Originally Adopted November 4, 1980)

Section 8.50 -- Charter Amendment, General Provisions

(1) Charter amendments may be proposed by the Commission, the Council, or the people. Any proposed Charter amendment shall be filed and registered with the filing officer and submitted to the voters at the next November general election occurring at least 90 days after registration of the proposed amendment with the filing officer. If more than one amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendment separately, except that an amendment which embraces a single or interrelated subject may be submitted as a single proposition even though it is composed of changes to one or more articles.

(2) If the proposed amendment is approved by a majority of the voters voting on the issue, it shall be effective ten days after the results of the election are certified, unless a later date is specified in the petition or ordinance proposing the amendment. Any implementing ordinance required by any Charter amendment shall be enacted by the Council within 180 days after the amendment is effective unless the amendment

provides otherwise. (Amendment No. 16, Approved November 5, 1996; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

(1) Charter amendments may be proposed by the Commission or the Council. Any proposed Charter amendment shall be filed and registered with the filing officer and submitted to the voters at the next November general election occurring at least ninety (90) days after registration of the proposed amendment with the filing officer. If more than one amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendment separately, except that an amendment which embraces a single or interrelated subject may be submitted as a single proposition even though it is composed of changes to one or more articles.

Section 8.60 -- Amendments by the Council

The Council may propose amendments to the Charter by enacting an ordinance to submit a proposed amendment to the voters at the next November general election occurring at least 90 days after enactment. A minimum of two-thirds affirmative vote of the Council shall be required to enact such an ordinance. An ordinance proposing an amendment to the Charter shall not be subject to the veto power of the Executive. (Originally Adopted November 4, 1980)

Section 8.65 -- Amendments by the Public

(1) The people may propose amendments to the Charter by filing a charter initiative petition with the filing officer.

(2) Any legal voter, or organization of legal voters of Pierce County may file a charter initiative proposal with the filing officer, who within five days, excluding Saturday, Sunday, and holidays shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the proposed charter initiative a number, which shall thereafter be the identifying number for the measure.

(3) The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who shall confer with the petitioner to review the legal aspects of the proposal, and who within ten days after receipt thereof, shall formulate a concise statement, posed as a positive question, not to exceed 75 words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title.

(4) The petitioner then has 180 days to collect the signatures of the registered voters of the County equal in number to not less than 20 percent of the number of votes cast in the County in the last executive election. Each petition shall contain the full text of the proposed amendment to the Charter and the ballot title.

(5) The filing officer 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 that is not less than 120 days after the registering of the petition. (Originally Adopted November 5, 1996, Amendment No. 16)

Section 8.70 -- Repeal of the Charter

Any proposal to repeal the Charter shall include provisions for transition, and shall be processed in the same manner as an amendment. (Originally Adopted November 4, 1980)