



Pierce County

Charter Review Commission

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Sharon Hanek, Chair
Martha Lantz, Vice Chair

RECEIVED
PIERCE CO. AUDITOR

JUL 05 2016

June 30, 2016

Honorable Julie Anderson
Pierce County Auditor
2401 S. 35th Street, Room 200
Tacoma, WA 98409

Re: 2016 Charter Review Commission: Transmittal of Proposed Amendments

Dear Ms. Anderson:

Pursuant to Section 8.50(1) of the Pierce County Charter, the Pierce County Charter Review Commission is hereby filing and registering with you four proposed Charter amendments adopted by the Commission at its June 15, 2016 meeting. The texts of the amendments are attached in the order they appear in the Charter. The Commission did not adopt any proposed ballot titles and expect those to be drafted by the Office of the Prosecuting Attorney.

The amendments are identified according to the Charter section they are proposed to amend. Please note that there are two separate proposed amendments to Charter Section 5.70. Changes are shown in strikethrough and underline format in the text.

The transmitted amendments are as follows:

- Section 5.40 – Initiative Procedures. Proposed change to Section 3.
- Section 5.70 – Referendum Procedures. Proposed change to Section 3.
- Section 5.70 – Referendum Procedures. Proposed changes to Section 2, proposed new Section 4 and proposed renumbering existing Section 4 to Section 5.
- Section 9.45 – Conflict of Interest.

Thank you for your attention to this matter and please feel free to contact me should you have questions.

Sincerely,

Sharon Hanek, Chair
Pierce County Charter Review Commission 2016

Attachments

cc: Members of Charter Review Commission
Andrea Innes and Linda Medley, Commission Clerks
Denise Greer and Ian Northrip, Deputy Prosecuting Attorneys

Section 5.40 -- Initiative Procedures

(1) Any legal voter, or organization of legal voters of Pierce County may file an 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 initiative a number, which shall thereafter be the identifying number for the measure.

(2) 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 20 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.

(3) The petitioner then has 120 days to collect the signatures of the registered voters of the County equal in number to not less than ~~10~~ ⁸ 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 measure, ordinance, or amendment to an ordinance and the ballot title.

(4) 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, unless the Council enacts the proposal without change or amendment.

(5) If the Council does not adopt the proposed measure and adopts a substitute measure concerning the same subject matter, the substitute proposal shall be placed on the same ballot with the initiative proposal; and the voters shall be given the choice of accepting either or rejecting both and 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 5.70 -- Referendum Procedures

(1) Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 days after the ordinance is passed by the Council.

(2) Within five days, excluding Saturday, Sunday, and holidays the filing officer shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within ten days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title.

(3) The petitioner then has 120 days to collect the signatures of registered voters of the County equal in number to not less than ~~8~~ 4 percent of the number of votes cast in the County in the last Executive election. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer 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 election that is not less than 120 days after the registering of the petition.

(4) The County Council may establish, by Ordinance, a referendum filing fee not to exceed the amount imposed by the State for each referendum filed.

Section 5.70 -- Referendum Procedures

(1) Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 days after the ordinance is passed by the Council.

(2) Within five days, excluding Saturday, Sunday, and holidays the filing officer shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within ~~ten~~ 15 business days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title. Also within the same 15-day period, the Prosecuting Attorney or designee shall notify the petitioner if, in the Prosecutor's opinion, the referendum is not legal.

(3) The petitioner then has 120 days to collect the signatures of registered voters of the County equal in number to not less than 8 percent of the number of votes cast in the County in the last Executive election. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer 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 election that is not less than 120 days after the registering of the petition.

(4) Should the County file a legal challenge to any referendum and the court determine that the referendum filer is the prevailing party, the referendum filer may, in the discretion of the court, be entitled to reasonable attorney's fees incurred in defending the challenge. The 120-day signature gathering period is tolled (suspended) for up to 45 days while awaiting the outcome of the legal challenge.

(45) The County Council may establish, by Ordinance, a referendum filing fee not to exceed the amount imposed by the State for each referendum filed.

Section 9.45 -- Conflicts of Interest

No County elected official shall hold any other office or employment within County government or accept any employment or compensation from any County contractor during ~~his~~ their term of office. Members of the Council, the Executive, the Assessor-Treasurer, the Auditor, the Sheriff and the Prosecuting Attorney are prohibited from holding another elected public office during their term of office except this prohibition does not apply to the elected office of political party precinct committee officer.