



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 3, 2018

Ordinance 18804

Proposed No. 2018-0409.2

Sponsors Balducci

1 AN ORDINANCE relating to initiative and referendum
2 petitions; amending Ordinance 159, Section 2, as
3 amended, and K.C.C. 1.16.020, Ordinance 159, Section 7,
4 as amended, and K.C.C. 1.16.070, Ordinance 159, Section
5 8, as amended, and K.C.C. 1.16.080, Ordinance 159,
6 Section 4, as amended, and K.C.C. 1.16.040, Ordinance
7 159, Section 5, as amended, and K.C.C. 1.16.050,
8 Ordinance 159, Section 3, as amended, and K.C.C.
9 1.16.030 and Ordinance 834, Section 1, as amended, and
10 K.C.C. 1.16.100, adding new sections to K.C.C. chapter
11 1.16, recodifying K.C.C. 1.16.070, K.C.C. 1.16.080,
12 K.C.C. 1.16.030 and K.C.C. 1.16.090 and repealing
13 Ordinance 159, Section 1, as amended, and K.C.C.
14 1.16.010, Ordinance 159, Section 6, as amended, and
15 K.C.C. 1.16.060, Ordinance 8024, Section 1, and K.C.C.
16 1.18.010, Ordinance 8024, Section 2, as amended, and
17 K.C.C. 1.18.020, Ordinance 8024, Section 3, and K.C.C.
18 1.18.030, Ordinance 8024, Section 4, and K.C.C. 1.18.040,
19 Ordinance 8024, Section 5, as amended, and K.C.C.

20 1.18.050, Ordinance 8024, Section 6, as amended, and
21 K.C.C. 1.18.060 and Ordinance 8024, Section 7, as
22 amended, and K.C.C. 1.18.070.

23 PREAMBLE:

24 The right of the public to petition the King County council is enshrined in
25 Sections 230.40 and 230.50 of the King County Charter. The King County
26 council values and welcomes the direct input of residents in shaping the
27 laws of King County. It is the intent of the King County council to outline
28 the steps for processing a petition for an initiative or referendum submitted
29 to the clerk of the council in order to make the process clear for the public.
30 This includes describing the steps in sequential order and providing the
31 number of days allotted for each step in the process to be completed. It is
32 also the intent of the King County council to clarify the roles of the clerk
33 of the council, prosecuting attorney's office and the department of
34 elections in processing a petition for an initiative or referendum submitted
35 to clerk of the council. In order to achieve the King County council's
36 intent, this ordinance reorganizes and amends the language of a number of
37 sections in K.C.C. chapter 1.16 and repeals K.C.C. chapter 1.18.

38 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

39 SECTION 1. The following are each hereby repealed:

- 40 A. Ordinance 159, Section 1, as amended, and K.C.C. 1.16.010;
- 41 B. Ordinance 159, Section 6, as amended, and K.C.C. 1.16.060;
- 42 C. Ordinance 8024, Section 1, and K.C.C. 1.18.010;

- 43 D. Ordinance 8024, Section 2, as amended, and K.C.C. 1.18.020;
- 44 E. Ordinance 8024, Section 3, and K.C.C. 1.18.030;
- 45 F. Ordinance 8024, Section 4, and K.C.C. 1.18.040;
- 46 G. Ordinance 8024, Section 5, as amended, and K.C.C. 1.18.050;
- 47 H. Ordinance 8024, Section 6, as amended, and K.C.C. 1.18.060; and
- 48 I. Ordinance 80124, Section 7, as amended, and K.C.C. 1.18.070.

49 NEW SECTION. SECTION 2. There is hereby added K.C.C. chapter 1.16 a new
50 section to read as follows:

51 For the purposes of this chapter, unless the context clearly requires otherwise,
52 "alteration" means any change to the ballot title or text of the measure on a referendum or
53 initiative petition that occurs between the time the form and language of the petition are
54 approved by the clerk of the council and the time when signed petitions are returned to
55 the clerk. Stray marks, scribbles, notes or highlighting shall not be an "alteration" as long
56 as the ballot title and text of the measure are legible.

57 SECTION 3. Ordinance 159, Section 2, as amended, and K.C.C. 1.16.020 are
58 each hereby amended to read as follows:

59 A. If any individual or committee of individuals desires to petition the council to
60 enact a proposed measure or to order that a referendum of any ordinance passed by the
61 council be submitted to the electorate, the individual or committee of individuals shall
62 file in the office of the clerk of the council ~~((five))~~ a printed or typewritten ~~((copies))~~
63 copy of the ~~((measure))~~ proposed ~~((or referendum))~~ in the form provided in this
64 chapter, accompanied by the name, phone number, email address and post office address
65 of the ~~((proposer))~~ individual or committee of individuals proposing the measure.

66 B. Petitions shall be printed on single sheets of white paper of good quality, eight
67 and one-half inches in width and fourteen inches in length, with a margin of one and
68 three-quarters inches at the top for binding. The front side of the petition shall have a
69 minimum font size of eight point font. Each petition shall contain:

- 70 1. Numbered lines for not more than twenty signatures on each sheet;
71 2. The prescribed ballot title or sufficient room for the ballot title to be inserted
72 if the ballot title has not yet been prepared by the prosecuting attorney;
73 3. The form of the petition on each sheet; and
74 4. A full, true and correct copy of the measure being proposed or referred
75 printed on the reverse side of the petition or on sheets of paper of like size and quality as
76 the petition, and a web address if one exists to the measure being proposed or referred in
77 twelve point font at the top of the reverse side of the petition, firmly fastened to the
78 petition.

79 SECTION 4. K.C.C. 1.16.070, as amended by this ordinance, is recodified as a
80 new section in K.C.C. chapter 1.16 to follow K.C.C. 1.16.020.

81 SECTION 5. Ordinance 159, Section 7, as amended, and K.C.C. 1.16.070 are
82 each hereby amended to read as follows:

83 Petitions ordering that ordinances passed by the council be referred to the people
84 at the special or general election, as provided in Article 2, Section 230.40 of the King
85 County Charter, shall be substantially in the following form:

86 **"WARNING**

87 Every person who signs this petition with any other than the person's true name,
88 or who knowingly signs more than one of these petitions, or who signs this petition when

89 the person is not a legal voter, or who makes herein any false statement, shall be punished
90 as provided by law.

91 **PETITION FOR REFERENDUM**

92 To the Clerk of the King County Council, King County, Washington: We, the
93 undersigned citizens of King County, State of Washington (~~and legal voters of the~~
94 ~~respective precincts set opposite our names~~)), respectfully order and direct that
95 Referendum Measure No. , entitled (here set forth the title of the ordinance)
96 being an ordinance passed by the King County Council on the day of ,
97 20 , and which would appear on the ballot in the following form:

98 (ballot title prepared by the prosecuting attorney under K.C.C. 1.16.050)
99 shall be referred to the people of the County for their approval or rejection; and

100 each of us says: I have personally signed this petition; I am a legal voter of King County,
101 State of Washington in the (~~precinct,~~) city or town written after my name, and my
102 residence address is correctly stated. A full, true and correct copy of the ordinance is
103 attached hereto and on file with the Clerk of the Council and available for public
104 inspection.

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	City or Town	((Precinct Name or Number (if known)))
1.				

2.
3.
4. "

105 SECTION 6. K.C.C. 1.16.080, as amended by this ordinance, is recodified as a
106 new section in K.C.C. chapter 1.16 to follow K.C.C. 1.16.070, as recodified in this
107 ordinance.

108 SECTION 7. Ordinance 159, Section 8, as amended, and K.C.C. 1.16.080 are
109 each hereby amended to read as follows:

110 Petitions for proposing measures for submission to the King County council shall
111 be substantially in the following form:

112 **"WARNING**

113 Every person who signs this petition with any other than the person's true name,
114 or who knowingly signs more than one of these petitions, or who signs this petition when
115 the person is not a legal voter, or who makes herein any false statement, shall be punished
116 as provided by law.

117 **INITIATIVE PETITION FOR SUBMISSION TO**

118 **THE KING COUNTY COUNCIL**

119 To the Clerk of the King County Council, King County, Washington:

120 We, the undersigned citizens of King County, State of Washington, (~~and legal~~
121 ~~voters of the respective precincts set opposite our names~~) respectfully direct that this
122 petition and the proposed measure known as Initiative Measure No. , and
123 which would appear on the ballot in the following form:

124 (ballot title prepared by the prosecuting attorney under K.C.C. 1.16.050)

125 a full, true and correct copy of which is hereby attached, and on file with the
 126 Clerk of the Council and available for public inspection, shall be transmitted to the King
 127 County Council, and we respectfully petition the Council to enact ((said)) this measure
 128 into law; and, if not enacted within ninety days from the time of presentment, then to be
 129 placed on the ballot at the next regular or special election for approval by the voters of
 130 King County; and each of us says: I have personally signed this petition; I am a legal
 131 voter of King County, State of Washington in the ((~~precinct,~~)) city or town written after
 132 my name and my residence address is correctly stated.

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	City or Town	((Precinct Name or Number (if known)))
1.				
2.				
3.				
4."				

133 SECTION 8. Ordinance 159, Section 4, as amended, and K.C.C. 1.16.040 are
 134 each hereby amended to read as follows:

135 Once a proposed petition is submitted to ((F))the clerk of the council, the clerk
 136 shall, within five days, verify that it complies with K.C.C. 1.16.070, as recodified by this
 137 ordinance, or K.C.C. 1.16.080, as recodified by this ordinance, and notify the submitting
 138 individual or committee of individuals that the proposed petition has been accepted, or

139 rejected because it does not comply with this chapter. If the clerk rejects a proposed
140 petition , the clerk will specify the reasons for rejection. If the proposed petition is
141 accepted by the clerk of the council, the clerk shall assign a serial number to ((each)) the
142 initiative measure or referendum petition, using a separate series for each, and
143 ((forthwith)) transmit within five days one copy of the measure proposed, bearing its
144 serial number, to the department of elections and the office of the prosecuting attorney.
145 Thereafter ((a)) the measure shall be known and designated on all petitions, ballots and
146 proceedings as "Initiative Measure No . . ." or "Referendum Measure No . . .".

147 SECTION 9. Ordinance 159, Section 5, as amended, and K.C.C. 1.16.050 are
148 each hereby amended to read as follows:

149 Within five days after ((the filing of)) receiving the transmittal from the clerk of
150 the council for an initiative measure or referendum petition ((with the clerk of the
151 council)) under K.C.C. 1.16.040, the prosecuting attorney shall prepare a ballot title and
152 transmit it to the clerk of the council, the department of elections ((bearing the serial
153 number of)) and the individual or committee of individuals proposing the measure. The
154 ballot title shall be a concise statement in the form of a question containing the essential
155 features of the measure and ((not exceeding twenty words and may be drafted in common
156 language for greater clarity)) shall be in substantially the form required by RCW
157 29A.36.071 and 29A.72.050. The ballot title shall be phrased in language so that a yes
158 vote will clearly be a vote in favor of the action or condition that would result from the
159 approval of the measure, and a no vote will clearly be a vote in opposition to such action
160 or condition. In the case of a referendum to ratify or revoke some prior action, the ballot
161 title may refer directly to the prior action rather than to the ratification or revocation of

162 ~~((said))~~ the action. The ballot title prepared by the prosecuting attorney shall be included
163 in the referendum or initiative petition as provided for in K.C.C. 1.16.070, as recodified
164 by this ordinance, and K.C.C. 1.16.080, as recodified by this ordinance, and shall be the
165 title of the measure in all proceedings in relation to it.

166 SECTION 10. K.C.C. 1.16.030, as amended by this ordinance, is recodified as a
167 new section in K.C.C. chapter 1.16 to follow K.C.C. 1.16.060.

168 SECTION 11. Ordinance 159, Section 3, as amended, and K.C.C. 1.16.030 are
169 each hereby amended to read as follows:

170 A. ~~((Initiative petitions containing the required signatures of registered voters of~~
171 ~~the county as provided in Section 230.50 of the Charter, must be filed within ninety days~~
172 ~~from the date of approval of such form by the clerk of the council. If petitioner fails to~~
173 ~~file such petition within the prescribed time limit, it shall have no validity and the petition~~
174 ~~will not be considered by the council as an initiative petition.~~

175 B.)) Referendum petitions containing the required signatures of registered voters
176 of the county, as provided in Section 230.40 of the King County Charter, must be filed
177 ~~((within forty five days))~~ with the clerk of the council before the forty-fifth day after the
178 enactment of the ordinance to be referred to the voters. If the petitioner fails to file
179 ~~((such))~~ the petition within the prescribed time ~~((limit))~~, ~~((it))~~ the petition shall have no
180 validity and ~~((will))~~ shall not be referred to the voters.

181 B. Initiative petitions containing the required signatures of registered voters of
182 the county as provided in Section 230.50 of the King County Charter, must be filed with
183 the clerk of the council within ninety days from the date of approval of the form by the
184 clerk of the council. If petitioner fails to file the petition within the prescribed time, the

185 petition shall have no validity and the petition shall not be considered by the council as an
186 initiative petition.

187 SECTION 12. Ordinance 834, Section 1, as amended, and K.C.C. 1.16.100 are
188 each hereby amended to read as follows:

189 ~~((When petitions for))~~ A. Signed initiative or referendum ((action are)) petitions
190 shall be filed with the clerk of the council, who shall review the petition pages for
191 alterations. Petition pages with alterations shall be rejected. The clerk shall notify the
192 individual or committee of individuals proposing the measure of the number of pages
193 rejected and shall make those pages available for review or copying.

194 B. Within five days of the date the petitions were submitted, the clerk shall
195 complete review and transmit accepted petitions to the department of elections with an
196 accounting of the number of pages transmitted and the number of pages rejected due to
197 alterations.

198 C. Within five days of receipt of the petition pages from the clerk of the council,
199 the department of elections shall set a terminal date on which it shall proceed to verify
200 and count the names of the legal voters on the initiative or referendum petition as
201 required in subsection D. of this section. The department shall notify the clerk of the
202 council and the individual or committee of individuals proposing the measure of the
203 terminal date. Signatures may be withdrawn before the terminal date. Additional petition
204 pages may be filed with the clerk of the council before the terminal date or the deadline
205 in K.C.C. 1.16.030, as recodified by this ordinance, whichever is earlier. The clerk shall
206 review and transmit the additional petition pages in accordance with subsections A. and
207 B. of this section, except that the clerk may wait until the terminal date to begin review of

208 the additional pages.

209 D. On the terminal date, the department of elections shall proceed to ~~((canvass))~~
210 verify and count the names of the legal voters on the initiative or referendum using the
211 random sampling statistical procedure authorized by WAC 434-379-010. However, a
212 petition shall not be rejected on the basis of any statistical method employed. If the
213 department finds the same name signed to more than one petition, it shall count only the
214 first valid signature and shall reject all subsequent instances of the signature of the same
215 person on the petition.

216 E. After the petitions are ~~((processed))~~ verified, the department shall transmit a
217 ~~((certified copy of the facts relating to the filing of the petition and the canvass to the~~
218 ~~council))~~ notice of sufficiency or insufficiency to the clerk of the council and the
219 individual or committee of individuals proposing the measure.

220 SECTION 13. K.C.C. 1.16.090 is recodified as a new section in K.C.C. chapter

221 1.16 to follow K.C.C. 1.16.100.

222 SECTION 14. This ordinance takes effect January 1, 2019.

223

Ordinance 18804 was introduced on 8/27/2018 and passed as amended by the Metropolitan King County Council on 10/1/2018, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci

No: 0

Excused: 0



KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this 10 day of October, 2018.

Dow Constantine, County Executive

Attachments: None

RECEIVED
2018 OCT 11 PM 1:04
CLERK
KING COUNTY COUNCIL