

# HOUSE BILL REPORT

## 2SHB 1195

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### As Passed Legislature

**Title:** An act relating to candidate names on the primary ballot.

**Brief Description:** Concerning primaries.

**Sponsors:** House Committee on Appropriations Subcommittee on General Government (originally sponsored by Representatives Wylie, Buys, Hunt, Van De Wege, Appleton, Orwall, Ryu and Jinkins).

**Brief History:**

**Committee Activity:**

Government Operations & Elections: 1/24/13, 2/12/13 [DPS];

Appropriations Subcommittee on General Government: 2/23/13, 2/25/13 [DP2S(w/o sub GOE)].

**Floor Activity:**

Passed House: 3/7/13, 96-1.

Senate Amended.

Passed Senate: 4/28/13, 45-3.

House Concurred.

Passed House: 4/28/13, 94-1.

Passed Legislature.

### Brief Summary of Second Substitute Bill

- Repeals provisions related to holding no primary for a partisan office to fill an unexpired term in an odd-numbered year if no more than two candidates have filed for the office.
- Expands the requirement that no primary be held when there are no more than two candidates filing for office to include all nonpartisan offices.

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### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle, Fitzgibbon, Orwall and Van De Wege.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass. Signed by 5 members: Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander, Kristiansen and Manweller.

**Staff:** Marsha Reilly (786-7135).

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## HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Government Operations & Elections. Signed by 7 members: Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys, Dunshee, Hunt, Pedersen and Springer.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Chandler and Taylor.

**Staff:** Wendy Polzin (786-7137).

### **Background:**

The names of all candidates who file a declaration of candidacy will appear on the primary ballot, with some exceptions. If a special election is required in an odd-numbered year to fill a vacancy in any office that is scheduled to be voted upon for a full term in an even-numbered year, no primary election may be held if no more than two candidates have filed a declaration of candidacy for the office. No primary is held for any single position in any city, town, district, or district court if, after the last day allowed for candidates to withdraw, there are no more than two candidates who have filed for the same position.

### **Summary of Second Substitute Bill:**

The provision that prohibits a primary election in an odd-numbered year to fill a vacancy in any office that is scheduled to be voted upon for a full term in an even-numbered year is repealed. The provision that no primary be held for any city, town, district, or district court position if no more than two candidates file for the office is expanded to include all nonpartisan offices.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony (Government Operations & Elections):**

(In support) None.

(With concerns) If the intention is to impact the campaign finance laws, then a change should be made to those laws. The practice of putting unnecessary races on the ballot increases elections costs, and the Secretary of State is trying to decrease the costs of elections. In races with one or two candidates, not having someone on the primary ballot will decrease costs.

(Opposed) The Washington State Association of County Auditors is opposed to the bill. Sometimes a ballot is very full, and adding unnecessary elections increases the size of the ballot and the cost. The auditors receive calls from voters asking why taxpayer money is being wasted on primary elections in cases where only two candidates are on the ballot for the same race. The number of unnecessary elections should be reduced.

**Staff Summary of Public Testimony** (Appropriations Subcommittee on General Government):

(In support) None.

(Opposed) The Office of the Secretary of State has been trying to decrease the costs of elections in recent years. The state only pays a portion of election related costs in odd numbered years. If the desire is to impact campaign contribution limits, then that section of statute should be changed. Voters do not like to see a single name on a ballot. The substitute bill raised concerns because of the impact to local jurisdictions. Districts with no primary election would have to begin paying for a primary election under this legislation.

**Persons Testifying** (Government Operations & Elections): (With concerns) Katie Blinn, Office of the Secretary of State.

(Opposed) Julie Anderson, Pierce County and Washington State Association of County Auditors.

**Persons Testifying** (Appropriations Subcommittee on General Government): Monty Cobb, Washington Association of County Officials; and Katie Blinn, Secretary of State.

**Persons Signed In To Testify But Not Testifying** (Government Operations & Elections): None.

**Persons Signed In To Testify But Not Testifying** (Appropriations Subcommittee on General Government): None.