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HOUSE BILL 2105

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State of Washington

54th Legislature

1995 Regular Session

By Representatives D. Schmidt, Carlson, Costa, Talcott, Patterson and Kessler

1 AN ACT Relating to the presidential preference primary; amending  
2 RCW 29.19.020, 29.19.070, and 29.19.080; adding new sections to chapter  
3 29.19 RCW; repealing RCW 29.19.040, 29.19.050, and 29.19.060; and  
4 declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 29.19.020 and 1989 c 4 s 2 are each amended to read as  
7 follows:

8 (1) On the fourth Tuesday in May of each year ((when)) in which a  
9 president of the United States is to be nominated and elected, ((or  
10 such other date as may be selected by the secretary of state to advance  
11 the concept of a regional primary,)) a presidential ((preference))  
12 primary shall be held at which voters may ((express their preferences  
13 as to who should be)) vote for the nominee of a major political party  
14 for the office of president. The secretary of state may propose an  
15 alternative date for the primary no later than the first day of August  
16 of the year prior to the year in which a president is to be nominated  
17 and elected.

18 (2) No later than the first day of September of the year prior to  
19 the year in which a presidential nominee is selected, the state

1 committee of any major political party may propose an alternative date  
2 for the primary.

3 (3) If an alternative date is proposed under subsection (1) or (2)  
4 of this section, a committee consisting of the chair and the vice-chair  
5 of the state committee of each major political party, the secretary of  
6 state, the majority leader and minority leader of the senate, and the  
7 speaker and the minority leader of the house of representatives shall  
8 meet and, by a majority vote, approve or reject the change in the date  
9 of the primary. The committee shall meet and decide on the proposed  
10 alternate date not later than the first day of October of the year  
11 prior to the year in which a presidential nominee is selected. The  
12 secretary of state shall convene and preside over the meeting of the  
13 committee. A committee member other than a legislator may appoint, in  
14 writing, a designee to serve on his or her behalf. A legislator who is  
15 a member of the committee may appoint, in writing, another legislator  
16 to serve on his or her behalf.

17 (4) If an alternate date is approved under this section, the  
18 secretary of state shall adopt rules under RCW 29.19.070 to adjust the  
19 deadlines in RCW 29.19.030 and related provisions of this chapter to  
20 correspond with the date that has been approved.

21 NEW SECTION. Sec. 2. A new section is added to chapter 29.19 RCW  
22 to read as follows:

23 (1) Except where necessary to accommodate the national or state  
24 rules of a major political party or where this chapter specifically  
25 provides otherwise, the presidential primary must be conducted in  
26 substantially the same manner as a state partisan primary under this  
27 title.

28 (2) Except as provided under this chapter or by rule of the  
29 secretary of state adopted under RCW 29.19.070, the arrangement and  
30 form of presidential primary ballots must be substantially as provided  
31 for a partisan primary under this title. Whenever required under the  
32 national or state rules of a major political party, a separate ballot  
33 containing only the candidates of that party who have qualified under  
34 RCW 29.19.030 shall be provided for any voter who requests a ballot of  
35 that party. A primary ballot, containing the names of all the  
36 candidates who have qualified for a place on the ballot under RCW  
37 29.19.030, shall be provided for nonaffiliated voters.

1 (3) The names of all candidates for the office of president shall  
2 be listed alphabetically on the ballot. The political party of each  
3 candidate shall be indicated adjacent to the name of that candidate.  
4 A blank space to allow the voter to write in the name of any other  
5 candidate shall be included on each ballot.

6 (4) A presidential primary ballot with votes for more than one  
7 candidate is void, and notice to this effect, stated in clear, simple  
8 language and printed in large type, must appear on the face of each  
9 presidential primary ballot or on or about each voting device.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 29.19 RCW  
11 to read as follows:

12 (1) A major political party may, under national or state party  
13 rules, base the allocation of delegates from this state to the national  
14 nominating convention of that party in whole or in part on the  
15 participation in precinct caucuses and conventions conducted under the  
16 rules of that party.

17 (2) If, under national or state party rules, a major political  
18 party bases a portion of the allocation of delegates on the results of  
19 the presidential primary, the secretary of state shall adopt rules  
20 under RCW 29.19.070 to provide for any declaration required of voters  
21 who participate in the nominating process of that party.

22 (3) Voters who subscribe to a specific political party declaration  
23 as provided under this section must be given ballots that are readily  
24 distinguishable from those given to other voters. Votes cast by  
25 persons making these declarations must be tabulated and reported  
26 separately from other votes cast at the primary and may be used by a  
27 major political party in its allocation of delegates under the rules of  
28 that party.

29 (4) For a political party that requires a specific voter  
30 declaration under this section, the secretary of state shall prescribe  
31 rules for providing, to the state and county central committees of that  
32 political party, a copy of the declarations or a list of the voters who  
33 participated in the presidential nominating process of that party.

34 **Sec. 4.** RCW 29.19.070 and 1989 c 4 s 7 are each amended to read as  
35 follows:

36 The secretary of state as chief election officer may make rules in  
37 accordance with chapter 34.05 RCW (~~or its statutory successor~~) to

1 facilitate the operation, accomplishment, and purpose of this chapter.  
2 The secretary of state shall adopt rules to modify any procedures of  
3 this chapter that would otherwise conflict with national or state  
4 political party rules.

5 **Sec. 5.** RCW 29.19.080 and 1989 c 4 s 8 are each amended to read as  
6 follows:

7 Subject to available funds specifically appropriated for this  
8 purpose, whenever a presidential ((preference)) primary ((election)) is  
9 held as provided by this chapter, the state of Washington shall assume  
10 all costs of holding the ((election)) primary if it is held alone. If  
11 any other election or elections are held at the same time, the state is  
12 liable only for ((its)) a prorated share of the costs. The county  
13 auditor shall determine the ((election)) costs, including the state's  
14 prorated share, if applicable, in the same manner as provided under RCW  
15 29.13.045 and shall file a certified claim ((therefore)) with the  
16 secretary of state. The secretary of state shall ((compile such claims  
17 for presentation to the next succeeding legislature in the same manner  
18 as other legislative relief claims)) include in his or her biennial  
19 budget requests sufficient funds to carry out this section.  
20 Reimbursements for primary costs must be from appropriations  
21 specifically provided by law for that purpose.

22 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each  
23 repealed:

- 24 (1) RCW 29.19.040 and 1989 c 4 s 4;  
25 (2) RCW 29.19.050 and 1989 c 4 s 5; and  
26 (3) RCW 29.19.060 and 1989 c 4 s 6.

27 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
28 preservation of the public peace, health, or safety, or support of the  
29 state government and its existing public institutions, and takes effect  
30 immediately.

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