

CERTIFICATION OF ENROLLMENT
SECOND ENGROSSED SENATE BILL 5852

Chapter 20, Laws of 1995

54th Legislature
1995 First Special Session

PRESIDENTIAL PRIMARY

EFFECTIVE DATE: 6/15/95

Passed by the Senate May 23, 1995
YEAS 45 NAYS 2

JOEL PRITCHARD

President of the Senate

Passed by the House May 23, 1995
YEAS 90 NAYS 7

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved June 15, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND ENGROSSED SENATE BILL 5852** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

June 15, 1995 - 4:21 p.m.

**Secretary of State
State of Washington**

SECOND ENGROSSED SENATE BILL 5852

Passed Legislature - 1995 First Special Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Drew, Sheldon, Wood, Prince, Oke and Winsley; by request of Secretary of State

Read first time 02/09/95. Referred to Committee on Government Operations.

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 before the year in which a president is to be nominated and
17 elected.

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

1 of any major political party that will use the primary results for
2 candidates of that party may propose an alternative date for that
3 primary.

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

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

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

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

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

1 (3) The ballot must list alphabetically the names of all candidates
2 for the office of president. The ballot must indicate the political
3 party of each candidate adjacent to the name of that candidate. Each
4 ballot must include a blank space to allow the voter to write in the
5 name of any other candidate.

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 requested by a major political party, the secretary of state
18 shall adopt rules under RCW 29.19.070 to provide for any declaration
19 required by that party.

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

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

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

34 The secretary of state as chief election officer may make rules in
35 accordance with chapter 34.05 RCW (~~or its statutory successor~~) to
36 facilitate the operation, accomplishment, and purpose of this chapter.

1 The secretary of state shall adopt rules consistent with this chapter
2 to comply with national or state political party rules.

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

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

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

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

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

Passed the Senate May 23, 1995.
Passed the House May 23, 1995.
Approved by the Governor June 15, 1995.
Filed in Office of Secretary of State June 15, 1995.