

# HOUSE BILL REPORT

## HB 2997

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**As Reported By House Committee On:**  
Government Administration

**Title:** An act relating to election procedures.

**Brief Description:** Harmonizing procedures to fill ballot vacancies.

**Sponsors:** Representatives D. Schmidt and Scott.

**Brief History:**

**Committee Activity:**

Government Administration: 2/3/98, 2/5/98 [DPS].

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### HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Murray; Reams; Smith; L. Thomas; Wensman and Wolfe.

**Staff:** Steve Lundin (786-7127).

**Background:** Procedures to elect a person to fill a vacancy in non-partisan elected office, other than a judicial position or the Office of Superintendent of Public Instruction, follow the same procedure for electing a person to a full term of such an office.

However, procedures to elect a person to fill a vacancy in a partisan elected office vary from the procedures for electing persons to full terms of such offices. A primary is held as a part of the process to fill a vacancy in a partisan elected office only if two or more persons file declarations of candidacy from the same major political party.

**Summary of Substitute Bill:** Procedures are modified to fill a vacancy in several elected offices.

A primary is held as part of the process to fill a vacancy in a partisan office in the executive or legislative branch of state government if two or more persons, without regard to their parties, file declarations of candidacy for the office, rather only if two or more persons file declarations of candidacy from the same major political party.

It is clarified that the Office of Mayor, in a city with a mayor council form of government, is filled following the procedure by which a person is elected to that office at the next municipal general election that occurs 45 or more days after the vacancy occurred.

**Substitute Bill Compared to Original Bill:** Only provisions relating to the filling of vacancies in partisan offices in the executive and legislative branches of state government are affected. A primary in such a partisan elected office is held as part of the process to fill a vacancy only if two or more persons file declarations of candidacy for the office rather than being held in all instances when any person files a declaration of candidacy. Procedures to fill vacancies in other partisan offices, judicial offices, and the office of superintendent of public instruction are not altered.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** As much as possible the process to fill vacancies should follow the same procedure as for electing people to full terms of office. Several legislative vacancies have occurred and no primary was held because no more than one candidate from either major party filed their declarations of candidacy.

**Testimony Against:** None.

**Testified:** Representative Dave Schmidt, prime sponsor; John Pearson, Office of the Secretary of State; and Doug Cochran, Yakima County Auditor.