

SENATE BILL REPORT

SB 6495

As Reported By Senate Committee On:
State & Local Government, February 3, 2000

Title: An act relating to changing the date of the primary.

Brief Description: Changing the primary date.

Sponsors: Senators Gardner, Thibaudeau, Wojahn, Heavey, Costa, Spanel and Fairley.

Brief History:

Committee Activity: State & Local Government: 1/31/2000, 2/3/2000 [DPS, DNP].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: That Substitute Senate Bill No. 6495 be substituted therefor, and the substitute bill do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Haugen and Kline.

Minority Report: Do not pass.

Signed by Senators Hale, Horn and McCaslin.

Staff: Roger Brodniak (786-7445)

Background: Primary date: Nominating primaries for November general elections are held in Washington State on the third Tuesday of the previous September.

Filing date: The deadline for candidates to file for elected office is the fourth Monday in July.

Post-session campaign freeze: No state official may solicit or accept campaign funds during the period beginning 30 days before a legislative session and ending 30 days after a legislative session has concluded.

Campaign mailings: Legislators are allowed to mail two mailings of newsletters to constituents. One mailing may be mailed no later than 30 days after the start of a regular legislative session. The second mailing may be mailed no later than 60 days after the end of a regular legislative session.

Special elections: County legislative authorities and county auditors may call a special county election on one the following dates: (1) the first Tuesday after the first Monday in February; (2) the second Tuesday in March; (3) the fourth Tuesday in April; (4) the third Tuesday in May; (5) the day of the September primary; or (6) the first Tuesday after the first Monday in November.

The deadline for calling various special elections is 45 days prior to the date of the special election.

Minor party conventions: Nominating conventions for candidates not belonging to a major political party may be held during the period beginning on the last Saturday in June and ending on the first Saturday in July.

Results certification: County auditors are responsible for certifying the results within ten days of a special election, primary, or general election.

Absentee deadlines: County auditors must be ready to send a sufficient number of absentee ballots at least 20 days before any primary, general election, or special election. A Department of Defense administrative regulation requires that military and overseas voters must have a 45 day voting window from the time they receive an absentee ballot to the time the results of an election are certified. There is no provision in the RCW that addresses the needs of military and overseas voters.

Other deadlines: The filing deadline for a political party to put a candidate's name on the presidential primary ballot is 39 days prior to the primary. The deadline for presidential candidates to remove their names from the primary ballot is 35 days prior to the presidential primary.

The deadlines for reopening any filings for nonpartisan offices because of a candidacy vacancy is the fourth Tuesday before an election. This applies to nonpartisan offices other than Supreme Court Justice and the Superintendent of Public Instruction.

Summary of Substitute Bill: Primary date: Nominating primaries for November general elections are moved to an earlier date. Primaries in Washington State are held on the second Tuesday of the preceding June.

Filing date: The deadline for candidates to file for elected office is moved to an earlier date. Candidates must declare their intention to run for office during a period beginning no earlier than 64 days prior to the June primary and ending the following Friday.

Post-session campaign freeze: The 30 day post-session freeze on legislators soliciting or accepting campaign funds is eliminated.

Campaign mailings: The second campaign mailing window, which lasts 60 days from the end of a regular legislative session, is eliminated. A new window for mailing newsletters to constituents is created, lasting 15 days after the date of the June primary.

Special elections: Special elections may no longer be held on the fourth Tuesday in April and the third Tuesday in May. Instead, special election dates are added on the second Tuesday in May, and the first Tuesday after the second Wednesday in September.

The deadline for calling various special elections is extended to 50 days prior to the date of a special election.

Minor party conventions: The window for holding a convention to nominate candidates not belonging to major political parties is moved to an earlier date. Minor party conventions may be held during the period beginning 44 days prior to the first day for filing declarations of candidacy, and ending 16 days prior to the first day for filing declarations of candidacy.

Results certification: The deadline for county auditors to certify election results is extended to 15 days after a special election, primary, or general election.

Absentee deadlines: County auditors must mail absentee ballots to all overseas and military voters who requested absentee ballots no later than 30 days before a primary, general election, or special election. Any request for an absentee ballot made by an overseas or military voter must be processed immediately.

Other deadlines: The filing deadline for a political party placing a candidate's name on the presidential primary ballot is extended to 50 days prior to the primary. The deadline for withdrawal deadline for presidential primary candidates is extended to 45 days prior to the primary.

The deadlines for reopening any filings for nonpartisan offices because of a candidacy vacancy is moved from the fourth Tuesday to the seventh Tuesday before an election. This does not apply to the Supreme Court Justice or Superintendent of Public Instruction.

Substitute Bill Compared to Original Bill: The original bill leaves the April special election in place. The amended bill moves the April special election date to the second Tuesday in May.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2001.

Testimony For: The consensus of a task force study is to move the primary date to June. This bill will help ease the time limitations on county auditors. The state could be subject to a lawsuit for not complying with military regulations related to absentee ballots.

Testimony Against: None.

Testified: Cherie Davidson, League of Women Voters WA (pro w/concerns); Bob Terwilliger, Auditors Assn. (pro); Suzanne Sinclair, WSA Co. Auditors, Island Co. Auditor (pro); Ralph Munro, Secretary of State (pro); Gary McIntosh, Secretary of State, State Elections Director (pro); Dwayne Slate, School Directors' Assn.