

FINAL BILL REPORT

2ESB 5852

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Synopsis as Enacted

Brief Description: Revising the presidential primary.

Sponsors: Senators Drew, Sheldon, Wood, Prince, Oke and Winsley; by request of Secretary of State.

Senate Committee on Government Operations

House Committee on Government Operations

Background: A statewide initiative in 1989 established a presidential preference primary. The primary occurs in a presidential election year on the fourth Tuesday of May or on such other date as may be selected by the Secretary of State to advance the concept of a regional primary.

A separate ballot is prepared for each party that has candidates in the primary.

To receive a ballot, a voter shall sign a ballot request form and declare the party primary in which he or she wishes to participate. The request forms are maintained in centralized containers by the county auditor for a period fixed by the Secretary of State or federal law.

The results of the primary shall determine the percentage of delegate positions to be allocated to each candidate. To the extent possible, delegates shall be apportioned among the state's congressional districts. Candidates for a delegate position committed to a particular presidential candidate must sign a statutory pledge that they will vote for the nomination of that presidential candidate on the first two convention ballots and work to advance that presidential candidate's cause unless released by the candidate.

Unless national party rules provide otherwise, delegate positions to the national nominating convention shall be apportioned among those candidates receiving at least 15 percent of the vote on the basis of the percentage of vote they received of the total vote received by candidates of their party who received more than 15 percent of the vote. If no candidate on a political party ballot receives 15 percent or more of the total votes cast, the state committee of the party shall determine how to allot delegate positions.

County auditors may consolidate precincts for a presidential primary if the consolidation does not require a voter to go to a location different from that of the last regular election.

Summary: No later than August 1 of the year preceding a presidential election year, the Secretary of State may propose an alternative to the fourth Tuesday of May as the date for a presidential primary. No later than September 1 of the year preceding a presidential election year, the state committee of any major political party that is going to use the primary results for candidates of that party may propose an alternative date for that primary.

If an alternative primary date is proposed by either the Secretary of State or a major political party, the alternate date must be considered and approved or rejected no later than October 1 of the year preceding a presidential election year by a two-thirds majority of a committee consisting of the chair and vice-chair of the state committee of each major political party, the Secretary of State, the majority leader and minority leader of the Senate, and the Speaker and minority leader of the House of Representatives.

If an alternative presidential primary date is approved, the Secretary of State is authorized to adopt rules to adjust applicable deadlines.

Unless otherwise required to accommodate national or state rules of a major political party, the procedures and ballots for a presidential primary must be the same as is required for a state partisan primary. Nonaffiliated voters must be provided with an alphabetical list of all qualified candidates of all parties.

A major political party may request that a specified party declaration be subscribed by voters in order to receive a separate ballot listing only candidates of that party. Votes cast on separate party ballots may be used by a major political party in its allocation of delegates under the rules of that party. For a political party that requires a specific voter declaration, the Secretary of State is required to prescribe rules for providing to the state and county committees of that party a copy of the declarations or a list of the voters who participated in the presidential nominating process of that party.

A notice, in large type, must appear on the face of each presidential primary ballot or on or about each voting device stating that any ballot with votes for more than one candidate is void.

The requirement that the state of Washington assume all costs of holding a presidential primary when no other measures or positions appear on the ballot is made subject to available funds specifically appropriated for this purpose. The Secretary of State is required to include in his or her biennial budget a request of a specific appropriation to reimburse auditors for the cost of the primary.

Inconsistent provisions regarding the process for requesting party ballots, and provisions authorizing consolidation of precincts and allocating delegates are repealed.

Votes on Final Passage:

Senate 49 0

First Special Session

Senate 45 2

House 89 8

Effective: June 15, 1995