

SENATE BILL REPORT

SB 6107

As Reported By Senate Committee On:
Government Operations, January 31, 1996

Title: An act relating to election procedures.

Brief Description: Harmonizing various election procedures.

Sponsors: Senators Winsley, Sheldon and Haugen.

Brief History:

Committee Activity: Government Operations: 1/22/96, 1/31/96 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: That Substitute Senate Bill No. 6107 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

Staff: Rod McAulay (786-7754)

Background:

Mailing Confirmation Notices. As part of the process of maintaining an accurate list of registered voters, the county auditor may contract with the Postal Service to receive change of address notices or may conduct direct countywide mailings. If an auditor receives notice from the Postal Service of a change of address of a registered voter to an address outside of the county, or if, in response to a direct mailing, the auditor receives "address correction" information, the auditor shall send a confirmation notice by first class forwardable mail to the address indicated on the voter's permanent registration card and to any other address at which the county auditor could reasonably expect mail to be received by the voter.

Determination of Emergency for Special Elections. When requested to conduct a special election by a city, town or district, the county auditor must make a determination that an emergency exists before scheduling the election.

Withdrawal of Candidacy. A person who has filed a declaration of candidacy during the general filing period at the end of July may withdraw his or her declaration at any time before the close of business on the Thursday following the last day to file. The filing officer may permit the withdrawal of a filing for an elected office of a city, town, or special district at any time before a primary, if the primary ballots have not been ordered.

Appearing on the Ballot More Than Once. A candidate's name may not appear more than once upon a ballot unless one appearance is as a candidate for precinct committee officer.

Terminating Ongoing Absentee Voter Status. Status as an ongoing absentee voter is terminated by: the written request of the voter, death or disqualification of the voter, cancellation of the voter's registration record, or return of a ballot as undeliverable.

Delivering Special Election Ballots to Inactive Voters. Statutory provisions regarding the mailing or delivery of special election ballots or applications for special election ballots to inactive voters are in conflict, with references in three places in the election code, including a double amendment.

Summary of Substitute Bill:

Determination of Emergency for Special Elections. When scheduling a special election at the request of a city, town or district, the requirement that the auditor deem that an emergency exists is repealed.

Withdrawal of Candidacy. An election filing officer may permit a candidate for city, town or special district contests where no primary is required to withdraw at any time before the election, if ballots have not been ordered. If as a result of a withdrawal, no candidate's name for a particular position appears on the ballot and the election for that position is deemed to have lapsed.

Appearing on the Ballot More Than Once. A candidate's name may not appear more than once on a ballot except for the position of precinct committee officer or any temporary elected position such as charter review board or freeholder.

Terminating Ongoing Absentee Voter Status. In addition to existing criteria, ongoing absentee voter status is terminated upon placing a voter on inactive status.

Substitute Bill Compared to Original Bill: The substitute deletes provisions pertaining to the mailing of confirmation notices and the delivery of special election ballots to inactive voters. The substitute bill clarifies language pertaining to the withdrawal of candidates for nonpartisan positions.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is a housekeeping measure. It clears up some inconsistencies in the election code.

Testimony Against: (original bill) Some of the notice sections need to be reconsidered. They may cause more problems than they resolve.

Testified: Doug Cochran, Yakima Co. Auditor (pro); Gary McIntosh, Secretary of State's office (pro).