

***Select Committee on Elections
Committee***

HB 1551

Brief Description: *Preserving blanket primaries.*

Sponsors: *Representatives D. Schmidt, Ogden, Keiser, Kagi, Wood and Ruderman.*

Brief Summary of Bill

- *Continues the use of the existing blanket primary law for partisan offices where voters may vote for candidates from any party or independents for each office appearing on the primary ballot.*
- *Establishes a system of voluntary party registration with registration records being public records.*
- *Alters the process for placing names of candidates from major political parties on the primary ballot. Candidates from a major political party are certified to the ballot by each major political party using either a petition process or a convention process.*

Hearing Date: *2/6/01*

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

Background:

The United States Supreme Court recently held that California's blanket primary law unconstitutional as a violation of political parties' rights of free association.

Washington State has a blanket primary law that is similar to the California blanket primary law.

The Washington State Democratic Party and the Republican State Committee of Washington filed a lawsuit in federal district court seeking to enjoin the use of the blanket primary in this state. A preliminary injunction was issued against the state conducting a

blanket primary after 2000 using the blanket primary unless the political parties consent to the use of the blanket primary. The political parties are directed to file proposed permanent injunctions by March 1, 2001. The Secretary of State is directed to respond no later than 30 days after adjournment of the regular session in 2001, or 30 days after enactment of legislation addressing the United States Supreme Court decision, whichever is earlier, but in no case earlier than 30 days after the political parties file their proposed permanent injunctions.

Summary of Bill:

The blanket primary process is retained for partisan offices where voters may vote for candidates from any party or independents for each office appearing on the primary ballot.

A system of voluntary party registration is instituted where voters may voluntarily register as members of any major or minor political party. Persons registering to vote are offered the option of also registering as members of a political party. Voters at primaries and general elections are offered the option of registering as members of a political party. Registration records are public records.

The process of placing names of candidates from major political parties is altered. Candidates from a major political party are certified to the ballot by each major political party.

Each major political party is required to adopt rules for certifying its candidates to the ballot. The rules on file with the Secretary of State 60 days prior to the initial date for candidates to file declarations of candidacy, and for the filing of the certified list of major political party candidates, control the certification of candidates for that primary. The rules must provide that a prospective candidate may select, at his or her option, whether to use a petition process or a convention process to become certified as a candidate from that political party. Separate rules must be adopted for both processes to be used for each of the following partisan offices: (1) US Senate; (2) US Congress; (3) state offices elected statewide; (4) legislative offices; and (5) county offices. Details must apply uniformly throughout the state, but may vary between different types of offices. Any registered party member eligible to sign a petition for such a candidate must be allowed to sign separate petitions for different candidates for same office. Any registered party member eligible to vote at convention for such a candidate must be allowed to vote for more than one candidate for same office.

A major political party must certify each person, who meets the requirements of either process, as a candidate for its nomination to a partisan office.

Write-in votes for a partisan office may only be counted if the candidate is an independent or a minor party candidate.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: *The bill contains an emergency clause and takes effect immediately.*