
State Government Committee

HB 2709

Brief Description: Changing provisions concerning minor party nominating conventions.

Sponsors: Representatives Romero, Upthegrove, Ogden, Cooper, Grant and McDermott.

Brief Summary of Bill

- Requires sponsors of a minor party or independent candidate convention to file notice of the convention with the secretary of state or county auditor.
- Requires candidates to be present at the convention.
- Prohibits the signing of a nominating petition before a candidate is actually nominated.
- Prohibits precinct committee officers from signing a nominating petition, or serving as the secretary or presiding officer of the convention.
- Creates gross misdemeanors for violating certain requirements for nominating minor party and independent candidates.

Hearing Date: 2/7/02

Staff: Catherine Blinn (786-7114).

Background:

Minor political parties and independent candidates may nominate candidates for partisan political office either at a convention, through a write-in campaign, or by filing during a special filing period, followed by a convention. Minor party and independent candidate conventions must be held between the last Saturday in June and the first Saturday in July. A convention may also be held during the week immediately prior to the first day of a filing period opened for a special election to fill a vacancy in a Washington office of the United States Senate or House of Representatives.

A minor political party may hold more than one convention but may not nominate more than one candidate for a single office. Notice of the convention must be published at least ten days in advance in a newspaper of general circulation in the county in which the convention

will be held, stating the date, time and location of the convention, and the name and address of the sponsoring person or organization. A convention must be attended by at least 25 registered voters.

In order to nominate a candidate for president, vice president, United States Senate, or a statewide office, a minor party or independent candidate must obtain at least 200 signatures of registered Washington voters. The minor party may add together signatures gathered at numerous conventions in order to meet the 200 signature requirement. For all other offices, the minor party must obtain at a single convention 25 signatures of voters registered in the jurisdiction of the office. The nominating petition must clearly identify the name of the minor party or independent candidate, must contain a statement that the person signing the petition is a registered voter of Washington, and must include space for the person to sign his or her name and print his or her name and address.

A certificate of nomination must be submitted to the proper filing officer within one week of the convention. If the office nominated is entirely within one county, the filing officer is the county auditor of that county. If the office nominated encompasses more than one county, the filing officer is the secretary of state. The certificate of nomination must contain the name, residence and office of each person nominated, must identify the minor party or independent candidate on whose behalf the convention was held, must be verified by the oath of the presiding officer and secretary, must be accompanied by a nominating petition containing the requisite number of signatures, and must include proof that there was proper notice of the convention.

The filing officer must check the certificate of nomination and canvass the signatures on the nominating petition to confirm that the persons who signed are registered to vote in the jurisdiction of the office nominated. The filing officer must determine that the certificate of nomination is sufficient, and any appeal of that decision must be filed within five days. Nominating petitions are not subject to public inspection or copying. Except for the offices of president and vice president, minor party and independent candidates nominated by convention must file a declaration of candidacy and pay the filing fee as established for major parties.

Summary of Bill:

Notice of a minor party or independent candidate convention must be filed with the filing officer, either the Secretary of State or the county auditor, as well as published in a newspaper of general circulation. With the exception of candidates nominated for president, vice president, United State Senate, or a statewide office, candidates must be present at a nominating convention. The nominating petition may not be signed before a candidate is actually nominated, and precinct committee officers may not sign a nominating petition or serve as the secretary or presiding officer of the convention.

Every person who signs a nominating petition using other than his or her true name, makes a false statement on a nominating petition as to his or her residence, is not registered to vote in the jurisdiction of the office for which the nomination is made, signs a minor party or independent candidate nominating petition while serving as a precinct committee officer, knowingly signs more than one nominating petition for the same office, signs a nominating

petition before the candidate is nominated, serves as secretary or presiding officer at a minor party or independent candidate nominating convention while serving as a precinct committee officer, or falsely verifies a certificate of nomination is guilty of a gross misdemeanor.

Rulemaking Authority: No express authority.

Appropriation: None.

Fiscal Note: Not Requested.

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