

2 **ESSB 5852** - S AMD - 449

3 By Senators Drew, Winsley, Haugen

4 ADOPTED 5/23/95

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 29.19.020 and 1989 c 4 s 2 are each amended to read  
8 as follows:

9 (1) On the fourth Tuesday in May of each year ((when)) in which a  
10 president of the United States is to be nominated and elected, ((or  
11 such other date as may be selected by the secretary of state to advance  
12 the concept of a regional primary,)) a presidential ((preference))  
13 primary shall be held at which voters may ((express their preferences  
14 as to who should be)) vote for the nominee of a major political party  
15 for the office of president. The secretary of state may propose an  
16 alternative date for the primary no later than the first day of August  
17 of the year before the year in which a president is to be nominated and  
18 elected.

19 (2) No later than the first day of September of the year before the  
20 year in which a presidential nominee is selected, the state committee  
21 of any major political party that will use the primary results for  
22 candidates of that party may propose an alternative date for that  
23 primary.

24 (3) If an alternative date is proposed under subsection (1) or (2)  
25 of this section, a committee consisting of the chair and the vice-chair  
26 of the state committee of each major political party, the secretary of  
27 state, the majority leader and minority leader of the senate, and the  
28 speaker and the minority leader of the house of representatives shall  
29 meet and, if affirmed by a two-thirds vote of the members of the  
30 committee, the date of the primary shall be changed. The committee  
31 shall meet and decide on the proposed alternate date not later than the  
32 first day of October of the year before the year in which a  
33 presidential nominee is selected. The secretary of state shall convene  
34 and preside over the meeting of the committee. A committee member  
35 other than a legislator may appoint, in writing, a designee to serve on

1 his or her behalf. A legislator who is a member of the committee may  
2 appoint, in writing, another legislator to serve on his or her behalf.

3 (4) If an alternate date is approved under this section, the  
4 secretary of state shall adopt rules under RCW 29.19.070 to adjust the  
5 deadlines in RCW 29.19.030 and related provisions of this chapter to  
6 correspond with the date that has been approved.

7 NEW SECTION. Sec. 2. A new section is added to chapter 29.19 RCW  
8 to read as follows:

9 (1) Except where necessary to accommodate the national or state  
10 rules of a major political party or where this chapter specifically  
11 provides otherwise, the presidential primary must be conducted in  
12 substantially the same manner as a state partisan primary under this  
13 title.

14 (2) Except as provided under this chapter or by rule of the  
15 secretary of state adopted under RCW 29.19.070, the arrangement and  
16 form of presidential primary ballots must be substantially as provided  
17 for a partisan primary under this title. Whenever requested by a major  
18 political party, a separate ballot containing only the candidates of  
19 that party who have qualified under RCW 29.19.030 must be provided for  
20 a voter who requests a ballot of that party. A primary ballot,  
21 containing the names of all the candidates who have qualified for a  
22 place on the ballot under RCW 29.19.030, must be provided for  
23 nonaffiliated voters.

24 (3) The ballot must list alphabetically the names of all candidates  
25 for the office of president. The ballot must indicate the political  
26 party of each candidate adjacent to the name of that candidate. Each  
27 ballot must include a blank space to allow the voter to write in the  
28 name of any other candidate.

29 (4) A presidential primary ballot with votes for more than one  
30 candidate is void, and notice to this effect, stated in clear, simple  
31 language and printed in large type, must appear on the face of each  
32 presidential primary ballot or on or about each voting device.

33 NEW SECTION. Sec. 3. A new section is added to chapter 29.19 RCW  
34 to read as follows:

35 (1) A major political party may, under national or state party  
36 rules, base the allocation of delegates from this state to the national  
37 nominating convention of that party in whole or in part on the

1 participation in precinct caucuses and conventions conducted under the  
2 rules of that party.

3 (2) If requested by a major political party, the secretary of state  
4 shall adopt rules under RCW 29.19.070 to provide for any declaration  
5 required by that party.

6 (3) Voters who subscribe to a specific political party declaration  
7 under this section must be given ballots that are readily  
8 distinguishable from those given to other voters. Votes cast by  
9 persons making these declarations must be tabulated and reported  
10 separately from other votes cast at the primary and may be used by a  
11 major political party in its allocation of delegates under the rules of  
12 that party.

13 (4) For a political party that requires a specific voter  
14 declaration under this section, the secretary of state shall prescribe  
15 rules for providing, to the state and county committees of that  
16 political party, a copy of the declarations or a list of the voters who  
17 participated in the presidential nominating process of that party.

18 **Sec. 4.** RCW 29.19.070 and 1989 c 4 s 7 are each amended to read as  
19 follows:

20 The secretary of state as chief election officer may make rules in  
21 accordance with chapter 34.05 RCW (~~or its statutory successor~~) to  
22 facilitate the operation, accomplishment, and purpose of this chapter.  
23 The secretary of state shall adopt rules consistent with this chapter  
24 to comply with national or state political party rules.

25 **Sec. 5.** RCW 29.19.080 and 1989 c 4 s 8 are each amended to read as  
26 follows:

27 Subject to available funds specifically appropriated for this  
28 purpose, whenever a presidential ((preference)) primary ((election)) is  
29 held as provided by this chapter, the state of Washington shall assume  
30 all costs of holding the ((election)) primary if it is held alone. If  
31 any other election or elections are held at the same time, the state is  
32 liable only for ((its)) a prorated share of the costs. The county  
33 auditor shall determine the ((election)) costs, including the state's  
34 prorated share, if applicable, in the same manner as provided under RCW  
35 29.13.045 and shall file a certified claim ((therefore)) with the  
36 secretary of state. The secretary of state shall ((compile such claims  
37 for presentation to the next succeeding legislature in the same manner

1 ~~as other legislative relief claims))~~ include in his or her biennial  
2 budget requests sufficient funds to carry out this section.  
3 Reimbursements for primary costs must be from appropriations  
4 specifically provided by law for that purpose.

5 NEW SECTION. Sec. 6. The following acts or parts of acts are each  
6 repealed:

- 7 (1) RCW 29.19.040 and 1989 c 4 s 4;  
8 (2) RCW 29.19.050 and 1989 c 4 s 5; and  
9 (3) RCW 29.19.060 and 1989 c 4 s 6.

10 NEW SECTION. Sec. 7. This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately."

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17 In line 1 of the title, after "primary;" strike the remainder of  
18 the title and insert "amending RCW 29.19.020, 29.19.070, and 29.19.080;  
19 adding new sections to chapter 29.19 RCW; repealing RCW 29.19.040,  
20 29.19.050, and 29.19.060; and declaring an emergency."

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