SENATE BILL REPORT
SB 5408

As Passed Senate, February 23, 2007

Title: An act relating to primary election ballots.

Brief Description: Modifying provisions on primary election ballots.

Sponsors: Senators Fairley, Roach, Kohl-Welles, Oemig, Hobbs, Swecker, Kline and Hatfield; by request of Secretary of State.

Brief History:
Committee Activity: Government Operations & Elections: 2/01/07, 2/05/07 [DP].
Passed Senate: 2/23/07, 48-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.
Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, Pridemore and Swecker.

Staff: Mac Nicholson (786-7445)

Background: Under Washington's current pick-a-party primary election, county auditors may use either a consolidated ballot or physically separate ballots. Consolidated ballots include all major political party candidates, separated by party, with a check-off box that allows a voter to affiliate with a major party for the purpose of participating in the primary. If a voter fails to select a major political party on the consolidated ballot, then any votes cast for a party candidate will not be counted.

If physically separate ballots are used for the primary, the auditor must prepare a ballot for each major political party and a nonpartisan ballot. Party ballots must be specific to a particular party and may include only the partisan offices to be voted on at that primary. Nonpartisan offices and measures are included on the nonpartisan ballot. A voter seeking to vote for both partisan and nonpartisan races must vote a party ballot and a nonpartisan ballot.

During the recent election, the Office of the Secretary of State received reports that primary votes could not be counted because voters using a consolidated ballot failed to check the box indicating party affiliation.

Summary of Bill: If a voter fails to select a major party in the check-off box on a consolidated ballot, the votes will be counted if the voter votes only for candidates of one political party in partisan races.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Nonpartisan races and ballot measures must be included on physically separate major party ballots.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: In the recent primary election, many voters didn't have their votes counted because they failed to check the box at the top of the ballot. This bill fixes that problem.

Persons Testifying: PRO: Senator Fairley, prime sponsor; Sam Reed, Secretary of State; Shane Hamlin, Office of the Secretary of State.