Chapter 434-219 WAC

PRESIDENTIAL PRIMARY

(Formerly chapter 434-75 WAC)
WAC 434-219-050 Procedures to be followed when changing primary date. If the date of the presidential primary is changed pursuant to RCW 29A.56.020 from the fourth Tuesday in May to another date, the secretary of state shall promptly notify the county auditors and the chairperson of the national committee of each major political party, in writing, of that date.


WAC 434-219-060 Designation of candidates by secretary of state. Not less than ninety days prior to the date set for the presidential primary, the secretary of state shall compile a list of persons whose candidacy for the office of President of the United States is generally advocated or whose candidacy is generally recognized in the national news media. He or she shall promptly notify, in writing, the county auditors, the chairperson of each major political party, and each of the candidates whose names will be placed on the ballot at the presidential primary unless the candidate withdraws under WAC 434-219-115.


WAC 434-219-080 Petition process for ballot access. Members of a major political party may petition the secretary of state, pursuant to the provisions of RCW 29A.56.030, to include on the presidential primary ballot the name of any candidate of that party not designated by the secretary of state under WAC 434-219-060. Petitions may be circulated for signatures not earlier than the first day following the designation of candidates by the secretary of state under WAC 434-219-060. Such petitions must be filed with the secretary of state not later than seventy-five days prior to the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must be signed by a sufficient number of those persons who have registered to vote in the state at the time the petition signatures are verified.

WAC 434-219-110 Determination of sufficiency. In the event the secretary of state determines that the petition bears insufficient valid signatures, he or she shall notify the person filing the petition and the candidate on whose behalf the petition was filed. Persons so notified may submit additional signatures in support of the nomination as long as those signatures are submitted prior to the deadline established by RCW 29A.56.030.

In the event the secretary of state determines the petition bears sufficient signatures, he or she shall add that candidate in the official certification of candidates to the county auditors.


WAC 434-219-115 Withdrawal. Each candidate shall appear on the primary ballot unless, not later than sixty-seven days prior to the primary, the candidate files with the secretary of state a signed, notarized statement that he or she is not now and will not become a candidate for president. The secretary of state shall promptly notify the county auditors, the chairperson of the national political party of that candidate, and all remaining candidates of any names removed from the list of candidates for the presidential primary.

WAC 434-219-240  Canvassing consolidated ballots that include a party checkbox. If a county auditor issues consolidated ballots that include a party checkbox on the ballot, the following canvassing protocols must be followed:

(1) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
   (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(2) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
   (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(3) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks the party box on the consolidated ballot for a different party than declared on the return envelope; and
   (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(4) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks a party box on the consolidated ballot for a different party than declared on the return envelope; and
   (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(5) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Fails to check a party box on the consolidated ballot; and
   (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(6) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Fails to check a party box on the consolidated ballot; and
   (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(7) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks more than one party box on the consolidated ballot; and
   (c) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(8) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks more than one party box on the consolidated ballot; and
   (c) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(9) If a voter:
   (a) Signs a party declaration on the return envelope;
   (b) Checks the party box on the consolidated ballot for the same party declared on the return envelope; and
   (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(10) If a voter:
    (a) Signs a party declaration on the return envelope;
    (b) Checks the party box on the consolidated ballot for a different party than declared on the return envelope; and
    (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(11) If a voter:
    (a) Signs a party declaration on the return envelope;
    (b) Fails to check a party box on the consolidated ballot; and
    (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(12) If a voter:
    (a) Signs a party declaration on the return envelope;
    (b) Checks more than one party box on the consolidated ballot; and
    (c) Votes for candidates of more than one party, the partisan votes shall not be counted.

(13) If a voter signs a party declaration on the return envelope for more than one party, the partisan votes shall not be counted.

(14) If a voter fails to sign a party declaration on the return envelope, the partisan votes shall not be counted.


WAC 434-219-250  Canvassing separate party ballots and consolidated ballots that do not include a party checkbox. If a county auditor issues either separate party ballots or consolidated ballots that do not include a party checkbox on the ballot, the following canvassing protocols must be followed:

(1) If a voter:
   (a) Signs a party declaration on the return envelope; and
   (b) Votes for candidates of the same party declared on the return envelope, the votes shall be counted.

(2) If a voter:
   (a) Signs a party declaration on the return envelope; and
   (b) Votes for candidates of a different party than declared on the return envelope, the partisan votes shall not be counted.

(3) If a voter:
   (a) Signs a party declaration on the return envelope; and
   (b) Votes for candidates of more than one party, the partisan votes shall not be counted.

[Ch. 434-219 WAC p. 4] (12/6/11)
returns to the secretary of state immediately. Not later than following the primary. The county auditor shall transmit the certify the results of the presidential primary fourteen days

75-250, filed 8/26/91, effective 9/26/91. recodified as § 434-219-250, filed 1/24/96, effective 2/24/96; WSR 92-08-003, § 434-219-250, filed 1/24/96, effective 2/24/96; WSR 91-18-012, § 434-75-250, filed 8/26/91, effective 9/26/91.

WAC 434-219-290 Certification of presidential primary by secretary of state. County canvassing boards shall certify the results of the presidential primary fourteen days following the primary. The county auditor shall transmit the returns to the secretary of state immediately. Not later than twenty-one days following the presidential primary, the secretary of state shall certify the results of the presidential primary and notify the candidates and the chairperson of the national and state committees of each major political party of the votes cast for all candidates listed on the ballot.

WAC 434-219-310 Statutory recount provisions do not apply. The provisions of chapter 29A.64 RCW regarding statutory recounts do not apply to a presidential primary.

WAC 434-219-320 Transmittal of political party preference data and results to the major political parties. No later than thirty days following the presidential primary:

(1) Upon request, each county auditor shall provide to the county committee of each major political party, at actual reproduction cost, the results of the presidential primary by precinct, and the names and addresses of voters registered in the county who signed a party declaration for that party and the signature was verified.

(2) Upon request, the secretary of state shall provide to the state committees of each major political party, at actual reproduction cost, the names and addresses of all voters registered in the state who signed a party declaration for that political party and the signature was verified.

WAC 434-219-330 Retention of election material. The county auditor shall maintain all presidential primary material, including ballot request forms, ballot envelopes, and ballots, for a period of twenty-two months following the presidential primary. Sixty days following certification of the presidential primary by the secretary of state, the county auditor must remove from the voter registration file any record of party designation in the presidential primary.

WAC 434-219-340 Claims for reimbursement. Following the presidential primary, each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary under RCW 29A.04.410. The procedures for allocating such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts. Claims for reimbursement and supporting documents shall be submitted to the secretary of state not later than sixty days following the certification of the presidential primary by the secretary of state.