

2 SHB 1108 - S AMD 000790
3 By Senator Rasmussen

4

5 On page 4, after line 23, insert the following:

6 "Sec. 8. RCW 29.18.010 and 1990 c 59 s 78 are each amended to read
7 as follows:

8 Candidates for the following offices shall be nominated at partisan
9 primaries held pursuant to the provisions of this chapter:

10 (1) Congressional offices;

11 (2) All state offices except (a) judicial offices and (b) the
12 office of superintendent of public instruction;

13 (3) All county offices except (a) judicial offices, (b) sheriff,
14 except in a county for which the position is declared to be a partisan
15 office by the county's home rule charter, and ~~((b))~~ (c) those offices
16 where a county home rule charter provides otherwise.

17 **Sec. 9.** RCW 29.21.010 and 1990 c 59 s 89 are each amended to read
18 as follows:

19 All city and town primaries shall be nonpartisan. Primaries for
20 special purpose districts, except those districts that require
21 ownership of property within the district as a prerequisite to voting,
22 shall be nonpartisan. Primaries for the office of county sheriff shall
23 be nonpartisan except in a county for which the position is declared
24 to be a partisan office by the county's home rule charter. City, town,
25 county sheriff, and district primaries shall be held as provided in RCW
26 29.13.070.

27 The purpose of this section is to establish the holding of a
28 primary, subject to the exemptions in RCW 29.21.015, as a uniform
29 procedural requirement to the holding of city, town, county sheriff,
30 and district elections. These provisions supersede any and all other
31 statutes, whether general or special in nature, having different
32 election requirements.

33 **Sec. 10.** RCW 29.21.015 and 1990 c 59 s 90 are each amended to read
34 as follows:

1 No primary may be held for any single position in any city, town,
2 or district or for the nonpartisan position of county sheriff, as
3 required by RCW 29.21.010, if, after the last day allowed for
4 candidates to withdraw, there are no more than two candidates filed for
5 the position. The county auditor shall, as soon as possible, notify
6 all the candidates so affected that the office for which they filed
7 will not appear on the primary ballot. Names of candidates so notified
8 shall be printed upon the general election ballot in the manner
9 specified by RCW 29.30.025.

10 **Sec. 11.** RCW 29.21.070 and 1990 c 59 s 91 are each amended to read
11 as follows:

12 The offices of superintendent of public instruction, justice of the
13 supreme court, judge of the court of appeals, judge of the superior
14 court, and judge of the district court shall be nonpartisan and the
15 candidates therefor shall be nominated and elected as such. Except in
16 a county for which the position of sheriff is declared to be a partisan
17 office by the county's home rule charter, the office of county sheriff
18 shall be nonpartisan and the candidates therefor shall be nominated and
19 elected as such.

20 All city, town, and special purpose district elective offices shall
21 be nonpartisan and the candidates therefor shall be nominated and
22 elected as such.

23 **Sec. 12.** RCW 29.30.025 and 1990 c 59 s 80 are each amended to read
24 as follows:

25 After the close of business on the last day for candidates to file
26 for office, the filing officer shall, from among those filings made in
27 person and by mail, determine by lot the order in which the names of
28 those candidates will appear on all sample and absentee ballots. In
29 the case of candidates for city, town, and district office, and for
30 nonpartisan sheriff, this procedure shall also determine the order for
31 candidate names on the official primary ballot used at the polling
32 place. The determination shall be done publicly and may be witnessed
33 by the media and by any candidate. If no primary is required for any
34 nonpartisan office under RCW 29.15.150 or 29.21.015, the names shall
35 appear on the general election ballot in the order determined by lot.

1 NEW SECTION. **Sec. 13.** A new section is added to chapter 36.28 RCW
2 to read as follows:

3 A vacancy in the office of sheriff shall be filled by appointment
4 of the board of county commissioners.

5 **Sec. 14.** RCW 36.28.010 and 1965 c 92 s 1 are each amended to read
6 as follows:

7 The sheriff is the chief ((~~executive~~)) law enforcement officer and
8 conservator of the peace of the county. In the execution of his
9 office, he and his deputies:

10 (1) Shall arrest and commit to prison all persons who break the
11 peace, or attempt to break it, and all persons guilty of public
12 offenses;

13 (2) Shall defend the county against those who, by riot or
14 otherwise, endanger the public peace or safety;

15 (3) Shall execute the process and orders of the courts of justice
16 or judicial officers, when delivered for that purpose, according to
17 law;

18 (4) Shall execute all warrants delivered for that purpose by other
19 public officers, according to the provisions of particular statutes;

20 (5) Shall attend the sessions of the courts of record held within
21 the county, and obey their lawful orders or directions;

22 (6) Shall keep and preserve the peace in their respective counties,
23 and quiet and suppress all affrays, riots, unlawful assemblies and
24 insurrections, for which purpose, and for the service of process in
25 civil or criminal cases, and in apprehending or securing any person for
26 felony or breach of the peace, they may call to their aid such persons,
27 or power of their county as they may deem necessary.

28 NEW SECTION. **Sec. 15.** Sections 8 through 14 of this act shall
29 take effect July 1, 1994."

30 **SHB 1108** - S AMD
31 By Senator Rasmussen

32

33 On page 1, line 2 of the title, after "29.15.200," strike the
34 remainder of the title and insert "29.21.015, 29.18.010, 29.21.010,
35 29.21.015, 29.21.070, 29.30.025, and 36.28.010; adding a new section to

- 1 chapter 29.15 RCW; adding a new section to chapter 36.28 RCW; and
- 2 providing an effective date."

--- END ---