
HOUSE BILL 1044

State of Washington

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By Representatives Carlson, Shin, Ballard, Brumsickle, Thomas, I. Ballasiotes, Miller, Foreman, Schoesler, Dyer, Quall, Basich, Morris, Springer, Brough, Chandler, Chappell and Kessler

Read first time 01/13/93. Referred to Committee on State Government.

1 AN ACT Relating to political party declaration in a presidential
2 preference primary; and amending RCW 29.18.200, 29.19.030, 29.19.040,
3 29.19.050, and 29.19.060.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 29.18.200 and 1990 c 59 s 88 are each amended to read
6 as follows:

7 (~~Except as provided otherwise in chapter 29.19 RCW,~~) All properly
8 registered voters may vote for their choice at any primary held under
9 this title, for any candidate for each office, regardless of political
10 affiliation and without a declaration of political faith or adherence
11 on the part of the voter.

12 **Sec. 2.** RCW 29.19.030 and 1989 c 4 s 3 are each amended to read as
13 follows:

14 The name of any candidate for a major political party nomination
15 for president of the United States shall be printed on the presidential
16 preference primary ballot (~~of a major political party~~) only:

1 (1) By direction of the secretary of state, who in the secretary's
2 sole discretion has determined that the candidate's candidacy is
3 generally advocated or is recognized in national news media; or

4 (2) If members of the political party of the candidate have
5 presented a petition for nomination of the candidate that has attached
6 to the petition a sheet or sheets containing the signatures of at least
7 one thousand registered voters who declare themselves in the petition
8 as being affiliated with the same political party as the presidential
9 candidate. The petition shall be filed with the secretary of state not
10 later than the thirty-ninth day before the presidential preference
11 primary. The signature sheets shall also contain the residence address
12 and name or number of the precinct of each registered voter whose
13 signature appears thereon and shall be certified in the manner
14 prescribed in RCW 29.79.200 and 29.79.210.

15 The secretary of state shall place the name of the candidate on the
16 ballot unless the candidate, at least thirty-five days before the
17 presidential preference primary, executes and files with the secretary
18 of state an affidavit stating without qualification that he or she is
19 not now and will not become a candidate for the office of president of
20 the United States at the forthcoming presidential election. The
21 secretary of state shall certify the names of all candidates who will
22 appear on the presidential preference primary ballot to the respective
23 county auditors on or before the fourth Tuesday in April of each
24 presidential election year.

25 **Sec. 3.** RCW 29.19.040 and 1989 c 4 s 4 are each amended to read as
26 follows:

27 The arrangement and form of the presidential primary ballot((s))
28 shall be substantially as provided for any primary election within the
29 state except as may be modified by this chapter or by rule of the
30 secretary of state as provided for in RCW 29.19.070 to adequately
31 reflect the intent of this chapter.

32 ((A separate ballot shall be prepared for each major political
33 party that has candidates whose names have been authorized for
34 placement on presidential preference primary ballots under RCW
35 29.19.030.)) The names of all candidates for a party's nomination for
36 the office of president shall be listed alphabetically in a column on
37 ((that party's)) the ballot. There shall be a printed box adjacent to

1 the name of each candidate. A blank space to allow the voter to write
2 in the name of another candidate shall also be included on each ballot.

3 The ballot, in providing for a choice of candidates for the office
4 of president, shall set forth only those candidates, with their
5 political party affiliation, who have qualified for a place on the
6 ballot under RCW 29.19.030.

7 **Sec. 4.** RCW 29.19.050 and 1989 c 4 s 5 are each amended to read as
8 follows:

9 Insofar as is practicable, and where the provisions of this chapter
10 do not specifically indicate otherwise, the presidential preference
11 primary shall be conducted in the same manner as a state partisan
12 primary, including the certification of the election returns by the
13 secretary of state. The requirement of rotation of names on the ballot
14 does not apply to the candidates listed on the presidential preference
15 primary ballot. County auditors may combine and consolidate two or
16 more precincts for the purpose of conducting the presidential
17 preference primary only if precinct vote totals for the primary can
18 still be made available and the consolidation does not require a voter
19 to go to a location different from that of the last regular election.

20 ~~((Each person desiring to vote in the presidential preference
21 primary shall receive a ballot request form on which the voter shall
22 sign his or her name and address and declare the party primary in which
23 he or she wishes to participate.~~

24 ~~The secretary shall prescribe rules for providing each party
25 central committee a list of the voters who participated in the
26 presidential primary of that party.~~

27 ~~The signed ballot request forms shall be maintained in the
28 centralized containers by the county auditor for a period of time as
29 specified by rule of the secretary of state, after which time they
30 shall be destroyed, unless otherwise directed by federal law.))~~

31 At a presidential preference primary, a voter may cast no more than
32 one vote on a ballot. Any presidential preference primary ballot with
33 more than one vote is void, and notice to this effect, couched in
34 clear, simple language, and printed in large type, shall appear on the
35 face of each presidential preference primary ballot. Where voting
36 machines or electronic voting devices are in use, the notice shall be
37 displayed on or about each machine or device.

1 fifteen percent or more of the total votes cast for candidates of the
2 same political party in (~~(their parties')~~) the presidential preference
3 primary.

4 (4) If any presidential candidate, at any time after the
5 presidential preference primary, formally releases the delegates
6 holding positions committed to him or her under the formula established
7 by subsection (3) of this section, the delegates shall be considered
8 uncommitted. The delegates holding positions committed to a candidate
9 shall be considered formally released when the candidate so notifies,
10 in writing, the chair of his or her party's delegation.

11 (5) In the event of the death of a candidate to whom delegate
12 positions have been committed, all such positions shall be considered
13 uncommitted.

14 (6) If no ballot choice (~~(on)~~) of a political party (~~(ballot)~~)
15 receives fifteen percent or more of the total votes cast for candidates
16 of the same political party, the state committee of the political party
17 shall determine how delegate positions allotted to the state by the
18 national committee shall be committed.

19 (7) If a vacancy occurs in the position of delegate, the remaining
20 delegates committed to the same preference as the vacating person shall
21 name a person to fill the vacancy.

22 NEW SECTION. **Sec. 6.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.

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