

HOUSE BILL REPORT

HB 1540

As Reported By House Committee On:
State Government
Appropriations

Title: An act relating to elections.

Brief Description: Requiring election procedures manuals.

Sponsors: Representatives D. Schmidt and Romero.

Brief History:

Committee Activity:

State Government: 2/9/99, 2/24/99 [DPS];

Appropriations: 3/5/99, 3/7/99 [DP(w/o sub SG)].

Brief Summary of Bill

- County auditors are required to develop written election procedures.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Dunshee; Haigh; Lambert and D. Schmidt.

Staff: Scott MacColl (786-7106).

Background:

The Secretary of State is the chief elections officer of the state and is authorized to adopt rules relating to election matters that implement state statutes.

County auditors are the local election officials who conduct elections throughout their counties.

Summary of Substitute Bill:

Each county auditor is required to develop written election procedures for their county, and copies of the procedures must be available on the Internet. The Secretary of State assists in preparation of these procedures by providing model written procedures.

Numerous matters are required to be described in the county's procedure manual, including:

- A discussion of different types of ballots and how they are processed and tabulated;
- The electronic vote tallying system used by the county;
- How a voter's registration may be challenged;
- How votes are canvassed and certified by the county canvassing board;
- The procedures for write-in voting and the tallying of write-in votes;
- When and how a true duplicate copy of a ballot is made;
- The procedure for the appointment of observers by major political parties;
- The procedure for appeals to a canvassing board; and
- The process for recounting votes.

Substitute Bill Compared to Original Bill: The requirement for developing an election procedures manual is changed to developing written election procedures that must be available on the Internet. Physical copies of the procedures may be made available to the public at cost.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (Original Bill) This bill is a repeat of last year that passed the House. Voters currently challenge the voting process, and this bill would require counties to develop a procedure manual. This would safeguard counties from lawsuits. This also promotes consistency of elections among counties.

Testimony Against: (Original Bill) The bill doesn't go far enough. The manual should include a voters pamphlet, a video voters guide, and should fix ballot placement. In the 1997 City of Tacoma elections, the county auditor did not print candidate statements.

Testified: (In favor) Representative Dave Schmidt, prime sponsor; and Bob Terwilliger and Suzanne Sinclair, Washington State Auditors Association.

(Opposed) Will Baker, citizen.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass and do not pass the substitute bill by Committee on State Government. Signed by 31 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Alexander, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Barlean; Benson; Boldt; Carlson; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Tokuda and Wensman.

Staff: Mark Matteson (786-7145).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on State Government: The Appropriations Committee's recommended passage of the original bill, removing the requirement proposed in the substitute to have county auditors develop on-line versions of election procedures for availability over the Internet.

Appropriation: None.

Fiscal Note: Available on the proposed substitute bill.

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

Testimony For: (Substitute bill) A similar version of this bill was passed by the House last year. There is very little fiscal impact. The bill will provide consistency in election procedures that the public can count on. The public will have better access to election procedures.

(Concerns) The requirement to develop web page versions of the election procedures would be too burdensome for some counties.

Testimony Against: None.

Testified: (In support with concerns) Karen Flynn, Kitsap County Auditor.