

HOUSE BILL REPORT

HB 1636

As Reported By House Committee On:
State Government

Title: An act relating to changing primary dates and associated election procedures.

Brief Description: Changing primary dates and associated election procedures.

Sponsors: Representatives D. Schmidt, Romero, Scott, Sullivan, Wensman, O'Brien, Kessler, Cooper, Conway, Ogden, Esser, H. Sommers, Lambert, Miloscia, Haigh, Benson, Santos, Doumit, Pennington, D. Sommers, Dunn, Alexander, Lovick, Lantz, Schual-Berke, Linville, Ruderman, McIntire, Dunshee, Campbell, Murray, Keiser, Delvin, Mielke, Mastin, Cody, Hatfield, Veloria, Regala, Edwards, Constantine, Carlson, Wolfe, Wood, Hankins, Barlean, Clements, Mulliken, Kenney, Tokuda, Bush, Fisher and Hurst.

Brief History:

Committee Activity:

State Government: 2/12/99, 3/2/99 [DPS].

Brief Summary of Substitute Bill

- The date of the primary is moved back from one of two different Tuesdays in September to the second Tuesday in August, and other election-related dates are moved back to accommodate the primary date change.

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: Steve Lundin (786-7127).

Background:

A primary election to nominate candidates is held at the earlier of the third Tuesday in September prior to a general election or the seventh Tuesday prior to a general election.

Declarations of candidacy for elective office are made with the filing officer during regular office hours for a five-day period beginning on the fourth Monday in July and ending on the following Friday, in the year in which the office is to be filled. If no one declares candidacy for an office during this regular filing period, a special filing period is opened for three days.

If no one has filed for the nomination of a major political party by the business end of the Thursday following the end of the regular filing period, the major political party may nominate its candidate on the next day.

A convention to nominate a person as a candidate of a minor political party for a partisan office, or for a person to file as an independent candidate for a partisan office, is held during the eight-day period from the last Saturday in June through the first Saturday in July.

Summary of Substitute Bill:

1. Date of primary moved back.

The date of the primary is moved back from a date in September (the earlier of the third Tuesday in September or the seventh Tuesday preceding the general election) to the second Tuesday in August.

2. Period holding conventions to nominate minor party candidates and independents moved back.

The eight-day period when a convention may be held to select a nominee to a partisan office by a minor party, or as an independent candidate to a partisan office, is moved back so that the convention must be held from the third Saturday in May to the fourth Saturday in May, rather than from the last Saturday in June to the first Saturday in July.

3. Filing period moved back.

Filing periods when declarations of candidacy are filed are altered and given specific names. The basic five-day filing period is called the regular filing period, and the first day of this regular filing period is moved back from the fourth Monday in July to the second Monday in June.

The three-day filing period that is held if no one files his or her declaration of candidacy during the regular filing period is called the special filing period. This special three-day filing period opens on the Monday after the close of the regular filing period and closes on the following Wednesday. If no person files a declaration of candidacy as a member of a major political party for a partisan position, the major political party may select its nominee no later than the first Friday after the close of the regular filing period.

It is clarified that another three-day filing period is opened if a void in candidacy occurs in a nonpartisan office after one or more eligible persons had filed for office during the regular or special filing period.

Substitute Bill Compared to Original Bill: A statute is amended to refer to the three-day special filing period.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect January 1, 2000.

Testimony For: This is the same bill that had 62 sponsors last year and has 53 sponsors this year. We don't have enough time between the primary and general elections. It is a nightmare. We are in violation of federal law and are in danger of being sued by the federal government for not having sufficient transit times on our overseas and service voters. All county auditors strongly support this bill.

Testimony Against: None.

Testified: Representative Schmidt, prime sponsor; Sheryl Moss, Office of the Secretary of State; Sam Reed, Washington State Association of County Auditors; and Bob Terwilliger, Auditors Association.