

HOUSE BILL REPORT

HB 2709

As Reported by House Committee On:
State Government

Title: An act relating to minor party nominating conventions.

Brief Description: Changing provisions concerning minor party nominating conventions.

Sponsors: Representatives Romero, Upthegrove, Ogden, Cooper, Grant and McDermott.

Brief History:

Committee Activity:

State Government: 2/7/02, 2/8/02 [DPS].

Brief Summary of Substitute Bill

- Requires sponsors of a minor party or independent candidate convention to file notice of the convention with the Secretary of State or county auditor.
- Requires candidates to be present at the convention, or to execute a statement prior to the convention expressing a willingness to be nominated.
- Prohibits precinct committee officers from signing a nominating petition or serving as the secretary or presiding officer of the convention
- Creates gross misdemeanors for violating certain requirements for nominating minor party and independent candidates.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives Romero, Chair; Miloscia, Vice Chair; McDermott, Schmidt and Upthegrove.

Minority Report: Without recommendation. Signed by 1 member: Representative Schindler.

Staff: Catherine Blinn (786-7114).

Background:

Minor political parties and independent candidates may nominate candidates for partisan political office either at a convention, through a write-in campaign, or by filing during a special filing period, followed by a convention. Minor party and independent candidate conventions must be held between the last Saturday in June and the first Saturday in July. A convention may also be held during the week immediately prior to the first day of a filing period opened for a special election to fill a vacancy in a Washington office of the United States Senate or House of Representatives.

A minor political party may hold more than one convention but may not nominate more than one candidate for a single office. Notice of the convention must be published at least 10 days in advance in a newspaper of general circulation in the county of the convention, stating the date, time and location of the convention, and the name and address of the sponsoring person or organization. A convention must be attended by at least 25 registered voters.

In order to nominate a candidate for president, vice president, United States Senate, or a statewide office, a minor party or independent candidate must obtain at least 200 signatures of registered Washington voters. The minor party may add together signatures gathered at numerous conventions in order to meet the 200 signature requirement. For all other offices, the minor party must obtain at a single convention 25 signatures of voters registered in the jurisdiction of the office. The nominating petition must clearly identify the name of the minor party or independent candidate, must contain a statement that the person signing the petition is a registered voter of Washington, and must include space for the person to sign his or her name and print his or her name and address.

A certificate of nomination must be submitted to the proper filing officer within one week of the convention. If the office nominated is entirely within one county, the filing officer is the county auditor of that county. If the office nominated encompasses more than one county, the filing officer is the Secretary of State. The certificate of nomination must contain the name, residence and office of each person nominated, must identify the minor party or independent candidate on whose behalf the convention was held, must be verified by the oath of the presiding officer and secretary, must be accompanied by a nominating petition containing the requisite number of signatures, and must include proof of the notice of the convention.

The filing officer must check the certificate of nomination and canvass the signatures on the nominating petition. Nominating petitions are not subject to public inspection or copying, and the candidates nominated must file a declaration of candidacy and pay the filing fee established for major parties.

Summary of Substitute Bill:

Notice of a minor party or independent candidate convention must be filed with the filing

officer as well as published in a newspaper of general circulation. With the exception of candidates nominated for president, vice president, United States Senate, or a statewide office, candidates must either be present at a nominating convention or must execute a notarized statement prior to the convention indicating a willingness to be nominated. A nominating petition must clearly identify the name of the candidate or candidates to be nominated. Precinct committee officers may not sign a nominating petition or serve as the secretary or presiding officer of a minor party or independent candidate convention.

Every person who signs a nominating petition using other than his or her true name makes a false statement on a nominating petition as to his or her residence, is not registered to vote in the jurisdiction of the office for which the nomination is made, signs a minor party or independent candidate nominating petition while serving as a precinct committee officer, knowingly signs more than one nominating petition for the same office, signs a nominating petition that does not clearly identify the name of the candidate or candidates nominated, serves as secretary or presiding officer at a minor party or independent candidate nominating convention while serving as a precinct committee officer, or falsely verifies a certificate of nomination is guilty of a gross misdemeanor.

Substitute Bill Compared to Original Bill:

The substitute bill allows candidates who cannot be present at a nominating convention to execute a notarized statement prior to the convention indicating their willingness to be nominated, requires that the nominating petition include the name of the candidate or candidates to be nominated, and makes signing a nominating petition that does not clearly identify the candidate or candidates to be nominated a gross misdemeanor.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: Incidents that prompt this type of legislation do not occur very often but do put a black eye on the political process and on the minor party and independent candidate nominating convention process. The sponsors of a convention that occurred in south King County last summer provided little notice of the date or location of the convention.

Testimony Against: None.

Testified: Representative Romero, prime sponsor; and Representative Upthegrove.