

HOUSE BILL REPORT

HB 1106

As Passed Legislature

Title: An act relating to the secretary of state.

Brief Description: Authorizing the secretary of state to observe county election facilities.

Sponsors: By Representatives Bush, Haigh, Kenney, Miloscia, McDonald, Campbell, Cox, Edwards, Clements, Veloria, Wood, Pearson, Schindler, Mielke, Woods, Sullivan, Shabro, Roach, Benson, Buck, Condotta, Talcott, Priest, Sump, Carrell, Anderson, Lantz, Schoesler, Darneille, Nixon, Kagi, Boldt, Lovick, McDermott, Pflug, McCoy, Upthegrove and McMahan.

Brief History:

Committee Activity:

State Government: 2/13/03, 2/21/03 [DP].

Floor Activity:

Passed House: 3/3/03, 96-1.

Passed Senate: 4/10/03, 44-1.

Passed Legislature.

Brief Summary of Bill

- Allows for unannounced visits to county election offices.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; McDermott, Nixon, Tom and Wallace.

Minority Report: Do not pass. Signed by 1 member: Representative Hunt.

Staff: Anne Warwick (786-7291) and Katie Blinn (786-7114).

Background:

The Certification and Training Program (Program) within the Office of the Secretary of State (Secretary) was created in 1992 in response to a very close legislative district race.

The recount in the race revealed inconsistencies and errors that pointed out the critical need for standardization and uniformity in all aspects of the election process. That same legislation also provided for the Election Administration and Certification Board (Board). The Board is made up of representatives from the county auditors, the Legislature, the major political parties and the Secretary. The major responsibilities of the Program are: (a) training and certification; (b) election assistance and clearinghouses; and (c) review process.

A review of county election procedures may be done at the request of a county auditor, the Secretary, or when a recount is required for a statewide or legislative race. The review may be a full review which covers all aspects of election administration in a county or it may be a partial review. A full review is done during the administration of an election to allow observation of election procedures. In the case of a recount, a special review is conducted covering only the areas which would affect the outcome of a potential recount. The Program may prioritize counties based on the date and results of the last review, any requests from county auditors, any written complaints filed with the Secretary, any negative media stories or reports, and the date on which the determination is made that a special review is required.

Summary of Bill:

The Office of the Secretary of State, Elections Division, may make unannounced visits to county election offices and facilities to observe handling, processing, counting or tabulation of ballots.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill would increase integrity in the voting process, breathe additional light into the process, and resolve other possible election problems by facilitating the sharing of information. Although many believe that the Secretary can already "drop in" to election offices and facilities, there is no mandate to allow this. This bill establishes the protocol that the Secretary will never be denied access to observe election procedures.

(With concerns) While not in opposition to the bill it seems redundant because the procedure is currently in practice. Any member of the public can observe election procedures.

Testimony Against: None.

Testified: (In support) Representative Bush, prime sponsor.

(With concerns) Karen Flynn, Kitsap County Auditor.