

HOUSE BILL REPORT

HB 2297

As Passed Legislature

Title: An act relating to the cancellation of the 2004 presidential primary.

Brief Description: Canceling the presidential primary in 2004.

Sponsors: By Representatives Haigh, Armstrong, Kagi, Nixon, Santos, Hinkle, Shabro, Tom, Fromhold, Delvin, Dickerson, Alexander, McCoy, Ahern, Simpson, Woods, Clibborn, McDonald, Kenney, Miloscia, Chase, Lantz, Bailey, Schual-Berke, Hudgins, Flannigan, Dunshee, Ruderman, Darneille, Upthegrove, Linville, Blake, Hunter, Quall, Hunt, Morris, Wallace, Kessler, Voloria, Hankins, Lovick, Eickmeyer, Berkey, Romero, Rockefeller, Morrell and Sullivan; by request of Governor Locke.

Brief History:

Third Special Session

Floor Activity:

Passed House: 12/5/03, 84-7.

Passed Senate: 12/5/03, 25-22.

Passed Legislature.

Brief Summary of Bill

- Cancels the presidential primary for the 2004 election.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority/Minority Report: None.

Staff: Katie Blinn (786-7114).

Background:

Political parties in Washington historically selected their nominee for President and allocated their delegates to the national nominating conventions through party caucuses. In 1989, the Legislature approved an Initiative to the Legislature which established the presidential primary. The Secretary of State must conduct a primary each presidential election year to allow citizens the opportunity to express their preferences as to the major political party candidates for President. Following the primary, the state and county

committees of each major political party are provided lists of voters who participated in their party's presidential primary.

The original legislation required delegates to the party national conventions to be allocated to each candidate for President based on the results of the preference primary. Votes cast for a particular presidential candidate were considered votes cast for delegate positions committed to that candidate. The selection of actual individuals as delegates remained a party function. In 1995, the Legislature amended the law to allow party delegates to be allocated in whole or in part based on the results of party precinct caucuses, rather than the preference primary. The 1995 legislation also requires the Office of the Secretary of State to amend its administrative rules to comply with the major political parties' national and state rules.

The 2004 presidential primary is scheduled to take place on March 2, 2004. There are currently nine major candidates seeking the Democratic Party's nomination for President, and only one major candidate seeking the Republican Party's nomination for President. The State Democratic Party decided in August 2003 to allocate all of its delegates to the 2004 Democratic National Convention based strictly on the results of party caucuses to be held February 7, 2004. The State Republican Party decided in September 2003 to allocate one third of its delegates to the Republican National Convention based on the results of the presidential primary, and two-thirds of its delegates based on the results of party caucuses to be held March 9, 2004. The estimated cost of the 2004 presidential primary is \$6 million.

Summary of Bill:

The presidential primary is cancelled for the 2004 election. The presidential primary is reinstated at the end of 2004.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: In tough budget times, spending \$6 million on a non-binding election is not a good use of the public's money. It is important that the Legislature pass this legislation now as opposed to January because the county auditors will have to spend \$2.4 million between now and January to begin their preparations.

The Washington State Association of County Auditors supports the idea of a presidential primary and always want to encourage voter participation in the nomination process. There is greater participation in the presidential primary than in party caucuses.

However, the political parties have never agreed to count ballots of unaffiliated voters, which is frustrating for the general public. It would be wasteful to spend \$6 million on what amounts to a poll. The county auditors support a presidential primary as long as it is meaningful. Many citizens think it is unwise to spend so much money on an election that does not count. The presidential primary is a fraud perpetrated on the electorate. Of all elections conducted during the four-year cycle, the presidential primary has the lowest turnout, the highest cost, and the highest level of dissatisfaction among the public. It hurts the overall credibility of the election process.

The Washington Secretary of State reluctantly supports the bill because it will save money. The tight budget crises the State is in right now is causing layoffs and reductions, and the Secretary does not want to eliminate other important functions of government. It is true that elimination of the primary for the 2004 cycle does set a dangerous precedent, but the people should have a more direct role in nominating the candidates for President. The caucuses work well as long as they allow for an open and reasonable debate. The presidential candidates have no reason to come to Washington if there is no presidential primary. The Office of the Secretary of State has continuously attempted to accommodate the parties through party ballots, polling places, and sworn statements.

Testimony Against: Despite what many people in Olympia think, most of the public ignores the activities in Olympia most of the year. When the people are denied the opportunity to vote in the presidential nominating process, they will blame the Legislature and the Governor, not Chris Vance or Paul Berendt. The presidential primary will be cancelled for good if you cancel it this year because you set a precedent. Historically, the breaking point was in 1988 with the selection of Pat Robertson as Washington's Republican nominee for President. Washington was the laughing stock of the nation.

Caucuses don't work because people do not want to argue politics with their neighbors. Caucuses are easy to manipulate, which was evidenced in 1988. The caucus turnout will probably be only 3-4% of the voting population. Elimination of the presidential primary will mean that none of the candidates will bother to come to Washington to campaign. The presidential primary is not just selection of the delegates for the national conventions, but a part of the national discussion and debate on who should be our next President.

Testified: (In support) Karen Flynn, Kitsap County Auditor; Suzanne Sinclair, Island County Auditor; David Bowen, Kittitas County Auditor; Don Charnley, Retired State Representative; David Danner, Office of the Governor; Sam Reed, Office of the Secretary of State; and Vern Spatz, Grays Harbor County Auditor.

(Opposed) Ralph Munro, Retired Secretary of State.