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HOUSE BILL 2687

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives McDermott, Hunt, Cody and Romero

Read first time 01/19/2004. Referred to Committee on State Government.

1            AN ACT Relating to an open primary; amending RCW 29A.04.085,  
2 29A.12.100, 29A.20.120, 29A.20.140, 29A.20.150, 29A.20.200, 29A.24.100,  
3 29A.24.210, 29A.24.310, 29A.28.040, 29A.28.060, 29A.32.240, 29A.36.100,  
4 29A.36.130, 29A.36.190, 29A.36.200, 29A.40.090, 29A.52.310, 29A.80.060,  
5 29A.04.610, and 42.17.020; adding new sections to chapter 29A.08 RCW;  
6 adding new sections to chapter 29A.36 RCW; adding new sections to  
7 chapter 29A.52 RCW; repealing RCW 29A.36.140, 29A.52.110, 29A.52.120,  
8 29A.52.130, and 29A.04.903; and declaring an emergency.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10            **Sec. 1.** RCW 29A.04.085 and 2003 c 111 s 115 are each amended to  
11 read as follows:

12            "Major political party" means a political party of which at least  
13 one nominee for president, vice president, United States senator, or a  
14 statewide office received at least five percent of the total vote cast  
15 at the last preceding state general election in an even-numbered year.  
16 A political party qualifying as a major political party under this  
17 section retains such status until the next even-year election at which  
18 a candidate of that party does not achieve at least five percent of the  
19 vote for one of the previously specified offices. If none of these

1 offices appear on the ballot in an even-year general election, the  
2 major party retains its status as a major party through that election.  
3 However, a political party of which no nominee received at least ten  
4 percent of the total vote cast may forgo its status as a major  
5 political party by filing with the secretary of state an appropriate  
6 party rule within sixty days of attaining major party status under this  
7 section, or within fifteen days of the effective date of this act,  
8 whichever is later.

9 NEW SECTION. Sec. 2. A new section is added to chapter 29A.08 RCW  
10 to read as follows:

11 No record may be created or maintained by a state or local  
12 governmental agency or a political organization that identifies a voter  
13 with the information marked on the voter's ballot, including the choice  
14 that a voter makes on a partisan primary ballot regarding political  
15 party affiliation.

16 NEW SECTION. Sec. 3. A new section is added to chapter 29A.08 RCW  
17 to read as follows:

18 Under no circumstances may an individual be required to affiliate  
19 with, join, adhere to, express faith in, or declare a preference for,  
20 a political party or organization upon registering to vote.

21 **Sec. 4.** RCW 29A.12.100 and 2003 c 111 s 310 are each amended to  
22 read as follows:

23 The secretary of state shall not approve a vote tallying system  
24 unless it:

25 (1) Correctly counts votes on ballots on which the proper number of  
26 votes have been marked for any office or issue;

27 (2) Ignores votes marked for any office or issue where more than  
28 the allowable number of votes have been marked, but correctly counts  
29 the properly voted portions of the ballot;

30 (3) Accumulates a count of the specific number of ballots tallied  
31 for each precinct, total votes by candidate for each office, and total  
32 votes for and against each issue of the ballot in that precinct;

33 (4) ~~((Accommodates rotation of candidates' names on the ballot~~  
34 ~~under RCW 29A.36.140;~~

35 ~~(5))~~) Produces precinct and cumulative totals in printed form; and

1        ~~((6))~~ (5) Except for functions or capabilities unique to this  
2 state, has been tested, certified, and used in at least one other state  
3 or election jurisdiction.

4        **Sec. 5.** RCW 29A.20.120 and 2003 c 111 s 506 are each amended to  
5 read as follows:

6        (1) Any nomination of a candidate for partisan public office by  
7 other than a major political party may be made only: (a) In a  
8 convention held not earlier than the last Saturday in June and not  
9 later than the first Saturday in July or during any of the seven days  
10 immediately preceding the first day for filing declarations of  
11 candidacy as fixed in accordance with RCW 29A.28.040; (b) as provided  
12 by RCW 29A.60.020; or (c) as otherwise provided in this section. Minor  
13 political party and independent candidates may appear only on the  
14 general election ballot.

15        (2) Nominations of candidates for president and vice president of  
16 the United States other than by a major political party may be made  
17 either at a convention conducted under subsection (1) of this section,  
18 or at a similar convention taking place not earlier than the first  
19 Sunday in July and not later than seventy days before the general  
20 election. Conventions held during this time period may not nominate  
21 candidates for any public office other than president and vice  
22 president of the United States, except as provided in subsection (3) of  
23 this section.

24        (3) If a special filing period for a partisan office is opened  
25 under RCW 29A.24.210, candidates of minor political parties and  
26 independent candidates may file for office during that special filing  
27 period. The names of those candidates may not appear on the general  
28 election ballot unless they are nominated by convention held no later  
29 than five days after the close of the special filing period and a  
30 certificate of nomination is filed with the filing officer no later  
31 than three days after the convention. The requirements of RCW  
32 29A.20.130 do not apply to such a convention. ~~((If primary ballots or  
33 a voters' pamphlet are ordered to be printed before the deadline for  
34 submitting the certificate of nomination and the certificate has not  
35 been filed, then the candidate's name will be included but may not  
36 appear on the general election ballot unless the certificate is timely  
37 filed and the candidate otherwise qualifies to appear on that ballot.))~~

1 (4) A minor political party may hold more than one convention but  
2 in no case shall any such party nominate more than one candidate for  
3 any one partisan public office or position. For the purpose of  
4 nominating candidates for the offices of president and vice president,  
5 United States senator, or a statewide office, a minor party or  
6 independent candidate holding multiple conventions may add together the  
7 number of signatures of different individuals from each convention  
8 obtained in support of the candidate or candidates in order to obtain  
9 the number required by RCW 29A.20.140. For all other offices for which  
10 nominations are made, signatures of the requisite number of registered  
11 voters must be obtained at a single convention.

12 **Sec. 6.** RCW 29A.20.140 and 2003 c 111 s 508 are each amended to  
13 read as follows:

14 (1) To be valid, a convention must be attended by at least  
15 (~~twenty-five~~) one hundred registered voters.

16 (2) In order to nominate candidates for the offices of president  
17 and vice president of the United States, United States senator, United  
18 States representative, or any statewide office, a nominating convention  
19 shall obtain and submit to the filing officer the signatures of at  
20 least (~~two hundred~~) one thousand registered voters of the state of  
21 Washington. In order to nominate candidates for any other office, a  
22 nominating convention shall obtain and submit to the filing officer the  
23 signatures of (~~twenty-five~~) one hundred persons who are registered to  
24 vote in the jurisdiction of the office for which the nominations are  
25 made.

26 **Sec. 7.** RCW 29A.20.150 and 2003 c 111 s 509 are each amended to  
27 read as follows:

28 A nominating petition submitted under this chapter shall clearly  
29 identify the name of the minor party or independent candidate  
30 convention as it appears on the certificate of nomination as required  
31 by RCW 29A.20.160(3). The petition shall also contain a statement that  
32 the person signing the petition is a registered voter of the state of  
33 Washington and shall have a space for the voter to sign his or her name  
34 and to print his or her name and address. No person may sign more than  
35 one nominating petition under this chapter for an office for (~~a~~  
36 ~~primary or~~) an election.

1       **Sec. 8.** RCW 29A.20.200 and 2003 c 111 s 514 are each amended to  
2 read as follows:

3       Not later than the Friday immediately preceding the first day for  
4 candidates to file, the secretary of state shall notify the county  
5 auditors of the names and designations of all minor party and  
6 independent candidates who have filed valid convention certificates and  
7 nominating petitions with that office. Except for the offices of  
8 president and vice president, persons nominated under this chapter  
9 shall file declarations of candidacy as provided by RCW 29A.24.030 and  
10 29A.24.070. The name of a candidate nominated at a convention shall  
11 not be printed upon the ((primary)) general election ballot unless he  
12 or she pays the fee required by law to be paid by candidates for the  
13 same office to be nominated at a primary.

14       **Sec. 9.** RCW 29A.24.100 and 2003 c 111 s 610 are each amended to  
15 read as follows:

16       (1) The nominating petition authorized by RCW 29A.24.090 ((shall))  
17 must be printed on sheets of uniform color and size, ((shall)) must  
18 include a place for each individual to sign and print his or her name  
19 and the address, city, and county at which he or she is registered to  
20 vote, and must contain no more than twenty numbered lines((, and)).

21       (2) For candidates for nonpartisan office and candidates of a major  
22 political party for partisan office, the nominating petition must be in  
23 substantially the following form:

24       The warning prescribed by RCW 29A.72.140; followed by:

25       We, the undersigned registered voters of     (the state of  
26 Washington or the political subdivision for which the nomination is  
27 made)    , hereby petition that the name of     (candidate's name)     be  
28 printed on the official primary ballot for the office of     (insert  
29 name of office)    .

30       ((The petition must include a place for each individual to sign and  
31 print his or her name, and the address, city, and county at which he or  
32 she is registered to vote.))

33       (3) For independent candidates and candidates of a minor political  
34 party for partisan office, the nominating petition must be in  
35 substantially the following form:

36       The warning prescribed by RCW 29A.72.140; followed by:

1        We, the undersigned registered voters of (the state of  
2 Washington or the political subdivision for which the nomination is  
3 made) , hereby petition that the name of (candidate's name) be  
4 printed on the official general election ballot for the office of  
5 (insert name of office) .

6        **Sec. 10.** RCW 29A.24.210 and 2003 c 111 s 621 are each amended to  
7 read as follows:

8        Filings for a partisan elective office shall be opened for a period  
9 of three normal business days whenever, on or after the first day of  
10 the regular filing period and before the sixth Tuesday prior to a  
11 primary, a vacancy occurs in that office, leaving an unexpired term to  
12 be filled by an election for which filings have not been held.

13        Any such special three-day filing period shall be fixed by the  
14 election officer with whom declarations of candidacy for that office  
15 are filed. The election officer shall give notice of the special  
16 three-day filing period by notifying the press, radio, and television  
17 in the county or counties involved, and by such other means as may be  
18 required by law.

19        Candidacies validly filed within the special three-day filing  
20 period shall appear on the ((primary)) ballot as if filed during the  
21 regular filing period.

22        **Sec. 11.** RCW 29A.24.310 and 2003 c 111 s 622 are each amended to  
23 read as follows:

24        Any person who desires to be a write-in candidate and have such  
25 votes counted at a primary or election may file a declaration of  
26 candidacy with the officer designated in RCW 29A.24.070 not later than  
27 the day before the primary or election. Declarations of candidacy for  
28 write-in candidates must be accompanied by a filing fee in the same  
29 manner as required of other candidates filing for the office as  
30 provided in RCW 29A.24.090.

31        Votes cast for write-in candidates who have filed such declarations  
32 of candidacy and write-in votes for persons appointed by major  
33 political parties pursuant to RCW 29A.28.020 need only specify the name  
34 of the candidate in the appropriate location on the ballot in order to  
35 be counted. Write-in votes cast for any other candidate, in order to  
36 be counted, must designate the office sought and position number or

1 political party, if the manner in which the write-in is done does not  
2 make the office or position clear. In order for write-in votes to be  
3 valid in jurisdictions employing optical-scan mark sense ballot systems  
4 the voter must complete the proper mark next to the write-in line for  
5 that office.

6 No person may file as a write-in candidate where:

7 (1) At a general election, the person attempting to file either  
8 filed as a write-in candidate for the same office at the preceding  
9 primary or the person's name appeared on the ballot for the same office  
10 at the preceding primary;

11 (2) The person attempting to file as a write-in candidate has  
12 already filed a valid write-in declaration for that primary or  
13 election, unless one or the other of the two filings is for the office  
14 of precinct committeeperson;

15 (3) The name of the person attempting to file already appears on  
16 the ballot as a candidate for another office, unless one of the two  
17 offices for which he or she is a candidate is precinct committeeperson.

18 The declaration of candidacy shall be similar to that required by  
19 RCW 29A.24.030. No write-in candidate filing under this section may be  
20 included in any voter's pamphlet produced under chapter 29A.32 RCW  
21 unless that candidate qualifies to have his or her name printed on the  
22 general election ballot. The legislative authority of any jurisdiction  
23 producing a local voter's pamphlet under chapter 29A.32 RCW may  
24 provide, by ordinance, for the inclusion of write-in candidates in such  
25 pamphlets.

26 **Sec. 12.** RCW 29A.28.040 and 2003 c 111 s 704 are each amended to  
27 read as follows:

28 (1) Whenever a vacancy occurs in the United States house of  
29 representatives or the United States senate from this state, the  
30 governor shall order a special election to fill the vacancy.

31 (2) Within ten days of such vacancy occurring, he or she shall  
32 issue a writ of election fixing a date for the special vacancy election  
33 not less than ninety days after the issuance of the writ, fixing a date  
34 for the primary for nominating candidates for the special vacancy  
35 election not less than thirty days before the day fixed for holding the  
36 special vacancy election, fixing the dates for the special filing  
37 period, and designating the term or part of the term for which the

1 vacancy exists. If the vacancy is in the office of United States  
2 representative, the writ of election shall specify the congressional  
3 district that is vacant.

4 (3) If the vacancy occurs less than six months before a state  
5 general election and before the second Friday following the close of  
6 the filing period for that general election, the special primary and  
7 special vacancy elections shall be held in concert with the state  
8 primary and state general election in that year.

9 (4) If the vacancy occurs on or after the first day for filing  
10 under RCW 29A.24.050 and on or before the second Friday following the  
11 close of the filing period, a special filing period of three normal  
12 business days shall be fixed by the governor and notice thereof given  
13 to all media, including press, radio, and television within the area in  
14 which the vacancy election is to be held, to the end that, insofar as  
15 possible, all interested persons will be aware of such filing period.  
16 The last day of the filing period shall not be later than the third  
17 Tuesday before the primary at which candidates are to be nominated.  
18 The names of major political party candidates who have filed valid  
19 declarations of candidacy during this three-day period shall appear on  
20 the approaching primary ballot.

21 (5) If the vacancy occurs later than the second Friday following  
22 the close of the filing period, a special primary and special vacancy  
23 election to fill the position shall be held after the next state  
24 general election but, in any event, no later than the ninetieth day  
25 following the November election.

26 **Sec. 13.** RCW 29A.28.060 and 2003 c 111 s 706 are each amended to  
27 read as follows:

28 The general election laws and laws relating to partisan primaries  
29 shall apply to the special primaries and vacancy elections provided for  
30 in RCW 29A.28.040 through 29A.28.050 to the extent that they are not  
31 inconsistent with the provisions of these sections. Minor political  
32 party and independent candidates may appear only on the general  
33 election ballot. Statutory time deadlines relating to availability of  
34 absentee ballots, certification, canvassing, and related procedures  
35 that cannot be met in a timely fashion may be modified for the purposes  
36 of a specific primary or vacancy election under this chapter by the



1 secretary of state through emergency rules adopted under RCW  
2 29A.04.610.

3 **Sec. 14.** RCW 29A.32.240 and 2003 c 111 s 816 are each amended to  
4 read as follows:

5 The local voters' pamphlet shall include but not be limited to the  
6 following:

7 (1) Appearing on the cover, the words "official local voters'  
8 pamphlet," the name of the jurisdiction producing the pamphlet, and the  
9 date of the election or primary;

10 (2) A list of jurisdictions that have measures or candidates in the  
11 pamphlet;

12 (3) Information on how a person may register to vote and obtain an  
13 absentee ballot;

14 (4) The text of each measure accompanied by an explanatory  
15 statement prepared by the prosecuting attorney for any county measure  
16 or by the attorney for the jurisdiction submitting the measure if other  
17 than a county measure. All explanatory statements for city, town, or  
18 district measures not approved by the attorney for the jurisdiction  
19 submitting the measure shall be reviewed and approved by the county  
20 prosecuting attorney or city attorney, when applicable, before  
21 inclusion in the pamphlet;

22 (5) The arguments for and against each measure submitted by  
23 committees selected pursuant to RCW 29A.32.280; and

24 (6) For partisan primary elections, information on how to vote a  
25 consolidated ballot or separate ballot, whichever is applicable.

26 **Sec. 15.** RCW 29A.36.100 and 2003 c 111 s 910 are each amended to  
27 read as follows:

28 Except for the candidates for the positions of president and vice  
29 president ((~~or~~)), for a partisan or nonpartisan office for which no  
30 primary is required, or for independent or minor party candidates, the  
31 names of all candidates who, under this title, filed a declaration of  
32 candidacy((~~or~~)) or were certified as a candidate to fill a vacancy on a  
33 major party ticket((~~or were nominated as an independent or minor~~  
34 ~~party candidate~~)) will appear on the appropriate ballot at the primary  
35 throughout the jurisdiction in which they are to be nominated.

1        NEW SECTION.    **Sec. 16.**    A new section is added to chapter 29A.36  
2    RCW to read as follows:

3        Partisan primaries must be conducted using either:

4        (1) A consolidated ballot format that includes a major political  
5    party identification check-off box that allows a voter to select from  
6    a list of the major political parties the major political party with  
7    which the voter chooses to affiliate.    The consolidated ballot must  
8    also include the candidates for all nonpartisan races appearing on the  
9    ballot, as well as all ballot measures appearing on the ballot; or

10       (2) A physically separate ballot format that requires physically  
11    separate ballots for each major political party.    A major political  
12    party ballot may include only the names of candidates who designated  
13    that same major political party in their declarations of candidacy, as  
14    required by RCW 29A.24.030.    Each major political party ballot must  
15    include all nonpartisan races and ballot measures appearing on the  
16    ballot.

17       NEW SECTION.    **Sec. 17.**    A new section is added to chapter 29A.36  
18    RCW to read as follows:

19       (1) If the consolidated ballot format allowed under section 16(1)  
20    of this act is used, the major political party identification check-off  
21    box must appear on the primary ballot before the names of candidates  
22    and ballot measures.    Clear and concise instructions to the voter must  
23    be prominently displayed immediately before the list of major political  
24    parties, and must include:

25       (a) A question asking the voter to indicate the major political  
26    party with which the voter chooses to affiliate;

27       (b) A statement that votes cast for a major political party  
28    candidate by a voter who chooses to affiliate with a different major  
29    political party will not be tabulated or reported;

30       (c) A statement that votes cast for a major political party  
31    candidate by a voter who fails to select a major political party  
32    affiliation will not be tabulated or reported;

33       (d) A statement that votes cast for a major political party  
34    candidate by a voter who selects more than one major political party  
35    with which to affiliate will not be tabulated or reported; and

36       (e) A statement that the party identification option will not

1 affect votes cast for candidates for nonpartisan offices, or for or  
2 against ballot measures.

3 (2) If the physically separate ballot format allowed under section  
4 16(2) of this act is used, clear and concise instructions to the voter  
5 must be prominently displayed on each ballot, and must include:

6 (a) A statement explaining that only one ballot may be voted;

7 (b) A statement explaining that if more than one ballot is voted,  
8 none of the ballots will be tabulated or reported; and

9 (c) A statement explaining that the voter's affiliation with a  
10 major political party will be inferred from the act of voting the  
11 ballot for that major political party.

12 **Sec. 18.** RCW 29A.36.130 and 2003 c 111 s 913 are each amended to  
13 read as follows:

14 After the close of business on the last day for candidates to file  
15 for office, the filing officer shall, from among those filings made in  
16 person and by mail, determine by lot the order in which the names of  
17 those candidates will appear on all primary, sample, and absentee  
18 ballots. (~~In the case of candidates for city, town, and district~~  
19 ~~office, this procedure shall also determine the order for candidate~~  
20 ~~names on the official primary ballot used at the polling place.)) The  
21 determination shall be done publicly and may be witnessed by the media  
22 and by any candidate. If no primary is required for any nonpartisan  
23 office under RCW 29A.52.010 or 29A.52.220, or if any independent or  
24 minor party candidate files a declaration of candidacy, the names shall  
25 appear on the general election ballot in the order determined by lot.~~

26 **Sec. 19.** RCW 29A.36.190 and 2003 c 111 s 919 are each amended to  
27 read as follows:

28 The name of a candidate for a partisan office for which a primary  
29 was conducted shall not be printed on the ballot for that office at the  
30 subsequent general election unless the candidate receives a number of  
31 votes equal to at least one percent of the total number of votes cast  
32 for all candidates for that (~~position sought~~) office and a plurality  
33 of the votes cast for the candidates of his or her party for that  
34 office at the preceding primary. For major political party candidates  
35 appearing on a consolidated ballot format, plurality is determined only

1 by the tabulation of votes cast by voters affiliated with that major  
2 political party.

3       **Sec. 20.** RCW 29A.36.200 and 2003 c 111 s 920 are each amended to  
4 read as follows:

5       The names of the persons certified as nominees by the secretary of  
6 state or the county canvassing board shall be printed on the ballot at  
7 the ensuing election.

8       No name of any candidate whose nomination at a primary is required  
9 by law shall be placed upon the ballot at a general or special election  
10 unless it appears upon the certificate of either (1) the secretary of  
11 state, (~~(e)~~) (2) the county canvassing board, (~~(e)~~) (3) (~~(a)~~) an  
12 independent candidate or minor party convention, or (4) the state or  
13 county central committee of a major or minor political party to fill a  
14 vacancy on its ticket under RCW 29A.28.020.

15       Excluding the office of precinct committee officer or a temporary  
16 elected position such as a charter review board member or freeholder,  
17 a candidate's name shall not appear more than once upon a ballot for a  
18 position regularly nominated or elected at the same election.

19       **Sec. 21.** RCW 29A.40.090 and 2003 c 111 s 1009 are each amended to  
20 read as follows:

21       The county auditor shall send each absentee voter a ballot, a  
22 security envelope in which to seal the ballot after voting, a larger  
23 envelope in which to return the security envelope, and instructions on  
24 how to mark the ballot and how to return it to the county auditor. The  
25 instructions that accompany an absentee ballot for a partisan primary  
26 must include instructions for voting a consolidated ballot or a  
27 physically separate ballot, whichever is applicable, as provided in  
28 section 17 of this act. The larger return envelope must contain a  
29 declaration by the absentee voter reciting his or her qualifications  
30 and stating that he or she has not voted in any other jurisdiction at  
31 this election, together with a summary of the penalties for any  
32 violation of any of the provisions of this chapter. The return  
33 envelope must provide space for the voter to indicate the date on which  
34 the ballot was voted and for the voter to sign the oath. A summary of  
35 the applicable penalty provisions of this chapter must be printed on  
36 the return envelope immediately adjacent to the space for the voter's

1 signature. The signature of the voter on the return envelope must  
2 affirm and attest to the statements regarding the qualifications of  
3 that voter and to the validity of the ballot. For out-of-state voters,  
4 overseas voters, and service voters, the signed declaration on the  
5 return envelope constitutes the equivalent of a voter registration for  
6 the election or primary for which the ballot has been issued. The  
7 voter must be instructed to either return the ballot to the county  
8 auditor by whom it was issued or attach sufficient first class postage,  
9 if applicable, and mail the ballot to the appropriate county auditor no  
10 later than the day of the election or primary for which the ballot was  
11 issued.

12 If the county auditor chooses to forward absentee ballots, he or  
13 she must include with the ballot a clear explanation of the  
14 qualifications necessary to vote in that election and must also advise  
15 a voter with questions about his or her eligibility to contact the  
16 county auditor. This explanation may be provided on the ballot  
17 envelope, on an enclosed insert, or printed directly on the ballot  
18 itself. If the information is not included, the envelope must clearly  
19 indicate that the ballot is not to be forwarded and that return postage  
20 is guaranteed.

21 NEW SECTION. **Sec. 22.** A new section is added to chapter 29A.52  
22 RCW to read as follows:

23 Major political party candidates for all partisan elected offices,  
24 except for president and vice president, precinct committee officer,  
25 and offices exempted from the primary under RCW 29A.52.010, must be  
26 nominated at primaries held under sections 23 through 27 of this act.

27 NEW SECTION. **Sec. 23.** A new section is added to chapter 29A.52  
28 RCW to read as follows:

29 It is the intent of the legislature to create a primary for all  
30 partisan elected offices, except for president and vice president,  
31 precinct committee officer, and offices exempted from the primary under  
32 RCW 29A.52.010, that:

- 33 (1) Allows each voter to participate;
- 34 (2) Preserves the privacy of each voter's party affiliation;
- 35 (3) Rejects mandatory voter registration by political party;

- 1 (4) Protects ballot access for all candidates, including minor
- 2 political party and independent candidates;
- 3 (5) Maintains a candidate's right to self-identify with any major
- 4 political party; and
- 5 (6) Upholds a political party's First Amendment right of
- 6 association.

7 NEW SECTION. **Sec. 24.** A new section is added to chapter 29A.52  
8 RCW to read as follows:

9 Instructions for voting a consolidated ballot or a physically  
10 separate ballot, whichever is applicable, must appear, at the very  
11 least, in:

- 12 (1) Any primary voters' pamphlet prepared by the secretary of state
- 13 or a local government if a partisan office will appear on the ballot;
- 14 (2) Instructions that accompany any partisan primary ballot sent by
- 15 a county auditor to an absentee voter;
- 16 (3) Any notice of a partisan primary published in compliance with
- 17 RCW 29A.52.310;
- 18 (4) A sample ballot prepared by a county auditor under RCW
- 19 29A.36.150 for a partisan primary; and
- 20 (5) The web site of the office of the secretary of state and any
- 21 existing web site of a county auditor's office.

22 NEW SECTION. **Sec. 25.** A new section is added to chapter 29A.52  
23 RCW to read as follows:

- 24 (1) Under a consolidated ballot format:
  - 25 (a) Votes cast for a major political party candidate by a voter who
  - 26 chooses to affiliate with a different major political party may not be
  - 27 tabulated or reported;
  - 28 (b) Votes cast for a major political party candidate by a voter who
  - 29 fails to select a major political party affiliation may not be
  - 30 tabulated or reported;
  - 31 (c) Votes cast for a major political party candidate by a voter who
  - 32 selects more than one major political party with which to affiliate may
  - 33 not be tabulated or reported;
  - 34 (d) Votes cast for a major political party candidate by voters who
  - 35 choose to affiliate with that major political party must be tabulated
  - 36 and reported; and

1 (e) Votes properly cast may not be affected by votes improperly  
2 cast for other races.

3 (2) Under a physically separate ballot format:

4 (a) Only one ballot may be voted;

5 (b) If more than one ballot is voted, none of the ballots will be  
6 tabulated or reported; and

7 (c) A voter's affiliation with a major political party will be  
8 inferred from the act of voting the ballot for that major political  
9 party.

10 NEW SECTION. **Sec. 26.** A new section is added to chapter 29A.52  
11 RCW to read as follows:

12 So far as applicable, the provisions of this title relating to  
13 conducting general elections govern the conduct of primaries.

14 NEW SECTION. **Sec. 27.** A new section is added to chapter 29A.52  
15 RCW to read as follows:

16 Nothing in this chapter may be construed to mean that a voter may  
17 cast more than one vote for candidates for a given office.

18 **Sec. 28.** RCW 29A.52.310 and 2003 c 111 s 1309 are each amended to  
19 read as follows:

20 Not more than ten nor less than three days before the primary the  
21 county auditor shall publish notice of such primary in one or more  
22 newspapers of general circulation within the county. The notice must  
23 contain the proper party designations, the names and addresses of all  
24 persons who have filed a declaration of candidacy to be voted upon at  
25 that primary, instructions for voting a consolidated ballot or a  
26 physically separate ballot, whichever is applicable, as provided in  
27 section 17 of this act, the hours during which the polls will be open,  
28 and the polling places for each precinct, giving the address of each  
29 polling place. The names of all candidates for nonpartisan offices  
30 must be published separately with designation of the offices for which  
31 they are candidates but without party designation. This is the only  
32 notice required for the holding of any primary.

33 **Sec. 29.** RCW 29A.80.060 and 2003 c 111 s 2006 are each amended to  
34 read as follows:

1        Within forty-five days after the statewide general election in  
2 even-numbered years, the county chair of each major political party  
3 shall call separate meetings of all elected precinct committee officers  
4 in each legislative district(~~(, a majority of the precincts of which~~  
5 ~~are within a county with a population of one million or more))~~) for the  
6 purpose of electing a legislative district chair in such district. The  
7 district chair shall hold office until the next legislative district  
8 reorganizational meeting two years later, or until a successor is  
9 elected.

10        The legislative district chair may be removed only by the majority  
11 vote of the elected precinct committee officers in the chair's  
12 district.

13        **Sec. 30.** RCW 29A.04.610 and 2003 c 111 s 161 are each amended to  
14 read as follows:

15        The secretary of state as chief election officer shall make  
16 reasonable rules in accordance with chapter 34.05 RCW not inconsistent  
17 with the federal and state election laws to effectuate any provision of  
18 this title and to facilitate the execution of its provisions in an  
19 orderly, timely, and uniform manner relating to any federal, state,  
20 county, city, town, and district elections. To that end the secretary  
21 shall assist local election officers by devising uniform forms and  
22 procedures.

23        In addition to the rule-making authority granted otherwise by this  
24 section, the secretary of state shall make rules governing the  
25 following provisions:

- 26        (1) The maintenance of voter registration records;
- 27        (2) The preparation, maintenance, distribution, review, and filing  
28 of precinct maps;
- 29        (3) Standards for the design, layout, and production of ballots;
- 30        (4) The examination and testing of voting systems for  
31 certification;
- 32        (5) The source and scope of independent evaluations of voting  
33 systems that may be relied upon in certifying voting systems for use in  
34 this state;
- 35        (6) Standards and procedures for the acceptance testing of voting  
36 systems by counties;



- 1 (7) Standards and procedures for testing the programming of vote  
2 tallying software for specific primaries and elections;
- 3 (8) Standards and procedures for the preparation and use of each  
4 type of certified voting system including procedures for the operation  
5 of counting centers where vote tallying systems are used;
- 6 (9) Standards and procedures to ensure the accurate tabulation and  
7 canvassing of ballots;
- 8 (10) Consistency among the counties of the state in the preparation  
9 of ballots, the operation of vote tallying systems, and the canvassing  
10 of primaries and elections;
- 11 (11) Procedures to ensure the secrecy of a voter's ballot when a  
12 small number of ballots are counted at the polls or at a counting  
13 center;
- 14 (12) The use of substitute devices or means of voting when a voting  
15 device at the polling place is found to be defective, the counting of  
16 votes cast on the defective device, the counting of votes cast on the  
17 substitute device, and the documentation that must be submitted to the  
18 county auditor regarding such circumstances;
- 19 (13) Procedures for the transportation of sealed containers of  
20 voted ballots or sealed voting devices;
- 21 (14) The acceptance and filing of documents via electronic  
22 facsimile;
- 23 (15) Voter registration applications and records;
- 24 (16) The use of voter registration information in the conduct of  
25 elections;
- 26 (17) The coordination, delivery, and processing of voter  
27 registration records accepted by driver licensing agents or the  
28 department of licensing;
- 29 (18) The coordination, delivery, and processing of voter  
30 registration records accepted by agencies designated by the governor to  
31 provide voter registration services;
- 32 (19) Procedures to receive and distribute voter registration  
33 applications by mail;
- 34 (20) Procedures for a voter to change his or her voter registration  
35 address within a county by telephone;
- 36 (21) Procedures for a voter to change the name under which he or  
37 she is registered to vote;

1 (22) Procedures for canceling dual voter registration records and  
2 for maintaining records of persons whose voter registrations have been  
3 canceled;

4 (23) Procedures for the electronic transfer of voter registration  
5 records between county auditors and the office of the secretary of  
6 state;

7 (24) Procedures and forms for declarations of candidacy;

8 (25) Procedures and requirements for the acceptance and filing of  
9 declarations of candidacy by electronic means;

10 (26) Procedures for the circumstance in which two or more  
11 candidates have a name similar in sound or spelling so as to cause  
12 confusion for the voter;

13 (27) Filing for office;

14 (28) The order of positions and offices on a ballot;

15 (29) Sample ballots;

16 (30) Independent evaluations of voting systems;

17 (31) The testing, approval, and certification of voting systems;

18 (32) The testing of vote tallying software programming;

19 (33) Standards and procedures to prevent fraud and to facilitate  
20 the accurate processing and canvassing of absentee ballots and mail  
21 ballots;

22 (34) Standards and procedures to guarantee the secrecy of absentee  
23 ballots and mail ballots;

24 (35) Uniformity among the counties of the state in the conduct of  
25 absentee voting and mail ballot elections;

26 (36) Standards and procedures to accommodate out-of-state voters,  
27 overseas voters, and service voters;

28 (37) The tabulation of paper ballots before the close of the polls;

29 (38) The accessibility of polling places and registration  
30 facilities that are accessible to elderly and disabled persons;

31 (39) The aggregation of precinct results if reporting the results  
32 of a single precinct could jeopardize the secrecy of a person's ballot;

33 (40) Procedures for conducting a statutory recount;

34 (41) Procedures for filling vacancies in congressional offices if  
35 the general statutory time requirements for availability of absentee  
36 ballots, certification, canvassing, and related procedures cannot be  
37 met;

1 (42) Procedures for the statistical sampling of signatures for  
2 purposes of verifying and canvassing signatures on initiative,  
3 referendum, and recall election petitions;

4 (43) Standards and deadlines for submitting material to the office  
5 of the secretary of state for the voters' pamphlet;

6 (44) Deadlines for the filing of ballot titles for referendum bills  
7 and constitutional amendments if none have been provided by the  
8 legislature;

9 (45) Procedures for the publication of a state voters' pamphlet;  
10 (~~and~~)

11 (46) Procedures for conducting special elections regarding nuclear  
12 waste sites if the general statutory time requirements for availability  
13 of absentee ballots, certification, canvassing, and related procedures  
14 cannot be met; and

15 (47) Procedures for conducting partisan primary elections.

16 **Sec. 31.** RCW 42.17.020 and 2002 c 75 s 1 are each amended to read  
17 as follows:

18 (1) "Agency" includes all state agencies and all local agencies.  
19 "State agency" includes every state office, department, division,  
20 bureau, board, commission, or other state agency. "Local agency"  
21 includes every county, city, town, municipal corporation, quasi-  
22 municipal corporation, or special purpose district, or any office,  
23 department, division, bureau, board, commission, or agency thereof, or  
24 other local public agency.

25 (2) "Authorized committee" means the political committee authorized  
26 by a candidate, or by the public official against whom recall charges  
27 have been filed, to accept contributions or make expenditures on behalf  
28 of the candidate or public official.

29 (3) "Ballot proposition" means any "measure" as defined by RCW  
30 (~~(29.01.110)~~) 29A.04.091, or any initiative, recall, or referendum  
31 proposition proposed to be submitted to the voters of the state or any  
32 municipal corporation, political subdivision, or other voting  
33 constituency from and after the time when the proposition has been  
34 initially filed with the appropriate election officer of that  
35 constituency prior to its circulation for signatures.

36 (4) "Benefit" means a commercial, proprietary, financial, economic,

1 or monetary advantage, or the avoidance of a commercial, proprietary,  
2 financial, economic, or monetary disadvantage.

3 (5) "Bona fide political party" means:

4 (a) An organization that has filed a valid certificate of  
5 nomination with the secretary of state under chapter ((29.24)) 29A.20  
6 RCW;

7 (b) The governing body of the state organization of a major  
8 political party, as defined in RCW ((29.01.090)) 29A.04.085, that is  
9 the body authorized by the charter or bylaws of the party to exercise  
10 authority on behalf of the state party; or

11 (c) The county central committee or legislative district committee  
12 of a major political party. There may be only one legislative district  
13 committee for each party in each legislative district.

14 (6) "Depository" means a bank designated by a candidate or  
15 political committee pursuant to RCW 42.17.050.

16 (7) "Treasurer" and "deputy treasurer" mean the individuals  
17 appointed by a candidate or political committee, pursuant to RCW  
18 42.17.050, to perform the duties specified in that section.

19 (8) "Candidate" means any individual who seeks nomination for  
20 election or election to public office. An individual seeks nomination  
21 or election when he or she first:

22 (a) Receives contributions or makes expenditures or reserves space  
23 or facilities with intent to promote his or her candidacy for office;

24 (b) Announces publicly or files for office;

25 (c) Purchases commercial advertising space or broadcast time to  
26 promote his or her candidacy; or

27 (d) Gives his or her consent to another person to take on behalf of  
28 the individual any of the actions in (a) or (c) of this subsection.

29 (9) "Caucus political committee" means a political committee  
30 organized and maintained by the members of a major political party in  
31 the state senate or state house of representatives.

32 (10) "Commercial advertiser" means any person who sells the service  
33 of communicating messages or producing printed material for broadcast  
34 or distribution to the general public or segments of the general public  
35 whether through the use of newspapers, magazines, television and radio  
36 stations, billboard companies, direct mail advertising companies,  
37 printing companies, or otherwise.

38 (11) "Commission" means the agency established under RCW 42.17.350.

1 (12) "Compensation" unless the context requires a narrower meaning,  
2 includes payment in any form for real or personal property or services  
3 of any kind: PROVIDED, That for the purpose of compliance with RCW  
4 42.17.241, the term "compensation" shall not include per diem  
5 allowances or other payments made by a governmental entity to reimburse  
6 a public official for expenses incurred while the official is engaged  
7 in the official business of the governmental entity.

8 (13) "Continuing political committee" means a political committee  
9 that is an organization of continuing existence not established in  
10 anticipation of any particular election campaign.

11 (14)(a) "Contribution" includes:

12 (i) A loan, gift, deposit, subscription, forgiveness of  
13 indebtedness, donation, advance, pledge, payment, transfer of funds  
14 between political committees, or anything of value, including personal  
15 and professional services for less than full consideration;

16 (ii) An expenditure made by a person in cooperation, consultation,  
17 or concert with, or at the request or suggestion of, a candidate, a  
18 political committee, or their agents;

19 (iii) The financing by a person of the dissemination, distribution,  
20 or republication, in whole or in part, of broadcast, written, graphic,  
21 or other form of political advertising prepared by a candidate, a  
22 political committee, or its authorized agent;

23 (iv) Sums paid for tickets to fund-raising events such as dinners  
24 and parties, except for the actual cost of the consumables furnished at  
25 the event.

26 (b) "Contribution" does not include:

27 (i) Standard interest on money deposited in a political committee's  
28 account;

29 (ii) Ordinary home hospitality;

30 (iii) A contribution received by a candidate or political committee  
31 that is returned to the contributor within five business days of the  
32 date on which it is received by the candidate or political committee;

33 (iv) A news item, feature, commentary, or editorial in a regularly  
34 scheduled news medium that is of primary interest to the general  
35 public, that is in a news medium controlled by a person whose business  
36 is that news medium, and that is not controlled by a candidate or a  
37 political committee;

1 (v) An internal political communication primarily limited to the  
2 members of or contributors to a political party organization or  
3 political committee, or to the officers, management staff, or  
4 stockholders of a corporation or similar enterprise, or to the members  
5 of a labor organization or other membership organization;

6 (vi) The rendering of personal services of the sort commonly  
7 performed by volunteer campaign workers, or incidental expenses  
8 personally incurred by volunteer campaign workers not in excess of  
9 fifty dollars personally paid for by the worker. "Volunteer services,"  
10 for the purposes of this section, means services or labor for which the  
11 individual is not compensated by any person;

12 (vii) Messages in the form of reader boards, banners, or yard or  
13 window signs displayed on a person's own property or property occupied  
14 by a person. However, a facility used for such political advertising  
15 for which a rental charge is normally made must be reported as an in-  
16 kind contribution and counts towards any applicable contribution limit  
17 of the person providing the facility;

18 (viii) Legal or accounting services rendered to or on behalf of:

19 (A) A political party or caucus political committee if the person  
20 paying for the services is the regular employer of the person rendering  
21 such services; or

22 (B) A candidate or an authorized committee if the person paying for  
23 the services is the regular employer of the individual rendering the  
24 services and if the services are solely for the purpose of ensuring  
25 compliance with state election or public disclosure laws.

26 (c) Contributions other than money or its equivalent are deemed to  
27 have a monetary value equivalent to the fair market value of the  
28 contribution. Services or property or rights furnished at less than  
29 their fair market value for the purpose of assisting any candidate or  
30 political committee are deemed a contribution. Such a contribution  
31 must be reported as an in-kind contribution at its fair market value  
32 and counts towards any applicable contribution limit of the provider.

33 (15) "Elected official" means any person elected at a general or  
34 special election to any public office, and any person appointed to fill  
35 a vacancy in any such office.

36 (16) "Election" includes any primary, general, or special election  
37 for public office and any election in which a ballot proposition is  
38 submitted to the voters: PROVIDED, That an election in which the

1 qualifications for voting include other than those requirements set  
2 forth in Article VI, section 1 (Amendment 63) of the Constitution of  
3 the state of Washington shall not be considered an election for  
4 purposes of this chapter.

5 (17) "Election campaign" means any campaign in support of or in  
6 opposition to a candidate for election to public office and any  
7 campaign in support of, or in opposition to, a ballot proposition.

8 (18) "Election cycle" means the period beginning on the first day  
9 of December after the date of the last previous general election for  
10 the office that the candidate seeks and ending on November 30th after  
11 the next election for the office. In the case of a special election to  
12 fill a vacancy in an office, "election cycle" means the period  
13 beginning on the day the vacancy occurs and ending on November 30th  
14 after the special election.

15 (19) "Expenditure" includes a payment, contribution, subscription,  
16 distribution, loan, advance, deposit, or gift of money or anything of  
17 value, and includes a contract, promise, or agreement, whether or not  
18 legally enforceable, to make an expenditure. The term "expenditure"  
19 also includes a promise to pay, a payment, or a transfer of anything of  
20 value in exchange for goods, services, property, facilities, or  
21 anything of value for the purpose of assisting, benefiting, or honoring  
22 any public official or candidate, or assisting in furthering or  
23 opposing any election campaign. For the purposes of this chapter,  
24 agreements to make expenditures, contracts, and promises to pay may be  
25 reported as estimated obligations until actual payment is made. The  
26 term "expenditure" shall not include the partial or complete repayment  
27 by a candidate or political committee of the principal of a loan, the  
28 receipt of which loan has been properly reported.

29 (20) "Final report" means the report described as a final report in  
30 RCW 42.17.080(2).

31 (21) "General election" for the purposes of RCW 42.17.640 means the  
32 election that results in the election of a person to a state office.  
33 It does not include a primary.

34 (22) "Gift," is as defined in RCW 42.52.010.

35 (23) "Immediate family" includes the spouse, dependent children,  
36 and other dependent relatives, if living in the household. For the  
37 purposes of RCW 42.17.640 through 42.17.790, "immediate family" means  
38 an individual's spouse, and child, stepchild, grandchild, parent,

1 stepparent, grandparent, brother, half brother, sister, or half sister  
2 of the individual and the spouse of any such person and a child,  
3 stepchild, grandchild, parent, stepparent, grandparent, brother, half  
4 brother, sister, or half sister of the individual's spouse and the  
5 spouse of any such person.

6 (24) "Independent expenditure" means an expenditure that has each  
7 of the following elements:

8 (a) It is made in support of or in opposition to a candidate for  
9 office by a person who is not (i) a candidate for that office, (ii) an  
10 authorized committee of that candidate for that office, (iii) a person  
11 who has received the candidate's encouragement or approval to make the  
12 expenditure, if the expenditure pays in whole or in part for political  
13 advertising supporting that candidate or promoting the defeat of any  
14 other candidate or candidates for that office, or (iv) a person with  
15 whom the candidate has collaborated for the purpose of making the  
16 expenditure, if the expenditure pays in whole or in part for political  
17 advertising supporting that candidate or promoting the defeat of any  
18 other candidate or candidates for that office;

19 (b) The expenditure pays in whole or in part for political  
20 advertising that either specifically names the candidate supported or  
21 opposed, or clearly and beyond any doubt identifies the candidate  
22 without using the candidate's name; and

23 (c) The expenditure, alone or in conjunction with another  
24 expenditure or other expenditures of the same person in support of or  
25 opposition to that candidate, has a value of five hundred dollars or  
26 more. A series of expenditures, each of which is under five hundred  
27 dollars, constitutes one independent expenditure if their cumulative  
28 value is five hundred dollars or more.

29 (25)(a) "Intermediary" means an individual who transmits a  
30 contribution to a candidate or committee from another person unless the  
31 contribution is from the individual's employer, immediate family as  
32 defined for purposes of RCW 42.17.640 through 42.17.790, or an  
33 association to which the individual belongs.

34 (b) A treasurer or a candidate is not an intermediary for purposes  
35 of the committee that the treasurer or candidate serves.

36 (c) A professional fund-raiser is not an intermediary if the fund-  
37 raiser is compensated for fund-raising services at the usual and  
38 customary rate.



1 (d) A volunteer hosting a fund-raising event at the individual's  
2 home is not an intermediary for purposes of that event.

3 (26) "Legislation" means bills, resolutions, motions, amendments,  
4 nominations, and other matters pending or proposed in either house of  
5 the state legislature, and includes any other matter that may be the  
6 subject of action by either house or any committee of the legislature  
7 and all bills and resolutions that, having passed both houses, are  
8 pending approval by the governor.

9 (27) "Lobby" and "lobbying" each mean attempting to influence the  
10 passage or defeat of any legislation by the legislature of the state of  
11 Washington, or the adoption or rejection of any rule, standard, rate,  
12 or other legislative enactment of any state agency under the state  
13 Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor  
14 "lobbying" includes an association's or other organization's act of  
15 communicating with the members of that association or organization.

16 (28) "Lobbyist" includes any person who lobbies either in his or  
17 her own or another's behalf.

18 (29) "Lobbyist's employer" means the person or persons by whom a  
19 lobbyist is employed and all persons by whom he or she is compensated  
20 for acting as a lobbyist.

21 (30) "Person" includes an individual, partnership, joint venture,  
22 public or private corporation, association, federal, state, or local  
23 governmental entity or agency however constituted, candidate,  
24 committee, political committee, political party, executive committee  
25 thereof, or any other organization or group of persons, however  
26 organized.

27 (31) "Person in interest" means the person who is the subject of a  
28 record or any representative designated by that person, except that if  
29 that person is under a legal disability, the term "person in interest"  
30 means and includes the parent or duly appointed legal representative.

31 (32) "Political advertising" includes any advertising displays,  
32 newspaper ads, billboards, signs, brochures, articles, tabloids,  
33 flyers, letters, radio or television presentations, or other means of  
34 mass communication, used for the purpose of appealing, directly or  
35 indirectly, for votes or for financial or other support in any election  
36 campaign.

37 (33) "Political committee" means any person (except a candidate or

1 an individual dealing with his or her own funds or property) having the  
2 expectation of receiving contributions or making expenditures in  
3 support of, or opposition to, any candidate or any ballot proposition.

4 (34) "Primary" for the purposes of RCW 42.17.640 means the  
5 (~~procedure for nominating~~) election that nominates a candidate to  
6 state office (~~under chapter 29.18 or 29.21 RCW or any other primary~~  
7 ~~for an election that uses, in large measure, the procedures established~~  
8 ~~in chapter 29.18 or 29.21 RCW~~)).

9 (35) "Public office" means any federal, state, county, city, town,  
10 school district, port district, special district, or other state  
11 political subdivision elective office.

12 (36) "Public record" includes any writing containing information  
13 relating to the conduct of government or the performance of any  
14 governmental or proprietary function prepared, owned, used, or retained  
15 by any state or local agency regardless of physical form or  
16 characteristics. For the office of the secretary of the senate and the  
17 office of the chief clerk of the house of representatives, public  
18 records means legislative records as defined in RCW 40.14.100 and also  
19 means the following: All budget and financial records; personnel  
20 leave, travel, and payroll records; records of legislative sessions;  
21 reports submitted to the legislature; and any other record designated  
22 a public record by any official action of the senate or the house of  
23 representatives.

24 (37) "Recall campaign" means the period of time beginning on the  
25 date of the filing of recall charges under RCW (~~29.82.015~~) 29A.56.120  
26 and ending thirty days after the recall election.

27 (38) "State legislative office" means the office of a member of the  
28 state house of representatives or the office of a member of the state  
29 senate.

30 (39) "State office" means state legislative office or the office of  
31 governor, lieutenant governor, secretary of state, attorney general,  
32 commissioner of public lands, insurance commissioner, superintendent of  
33 public instruction, state auditor, or state treasurer.

34 (40) "State official" means a person who holds a state office.

35 (41) "Surplus funds" mean, in the case of a political committee or  
36 candidate, the balance of contributions that remain in the possession  
37 or control of that committee or candidate subsequent to the election  
38 for which the contributions were received, and that are in excess of

1 the amount necessary to pay remaining debts incurred by the committee  
2 or candidate prior to that election. In the case of a continuing  
3 political committee, "surplus funds" mean those contributions remaining  
4 in the possession or control of the committee that are in excess of the  
5 amount necessary to pay all remaining debts when it makes its final  
6 report under RCW 42.17.065.

7 (42) "Writing" means handwriting, typewriting, printing,  
8 photostating, photographing, and every other means of recording any  
9 form of communication or representation, including, but not limited to,  
10 letters, words, pictures, sounds, or symbols, or combination thereof,  
11 and all papers, maps, magnetic or paper tapes, photographic films and  
12 prints, motion picture, film and video recordings, magnetic or punched  
13 cards, discs, drums, diskettes, sound recordings, and other documents  
14 including existing data compilations from which information may be  
15 obtained or translated.

16 As used in this chapter, the singular shall take the plural and any  
17 gender, the other, as the context requires.

18 NEW SECTION. **Sec. 32.** The following acts or parts of acts are  
19 each repealed:

20 (1) RCW 29A.36.140 (Primaries--Rotating names of candidates) and  
21 2003 c 111 s 914;

22 (2) RCW 29A.52.110 (Application of chapter) and 2003 c 111 s 1302;

23 (3) RCW 29A.52.120 (General election laws govern primaries) and  
24 2003 c 111 s 1303;

25 (4) RCW 29A.52.130 (Blanket primary authorized) and 2003 c 111 s  
26 1304; and

27 (5) RCW 29A.04.903 (Effective date--2003 c 111) and 2003 c 111 s  
28 2405.

29 NEW SECTION. **Sec. 33.** If any provision of this act or its  
30 application to any person or circumstance is held invalid, the  
31 remainder of the act or the application of the provision to other  
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 34.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect  
2 immediately.

--- END ---