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SENATE BILL 5398

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State of Washington

58th Legislature

2003 Regular Session

By Senator Schmidt

Read first time 01/23/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to precinct committee officers; and amending RCW  
2 29.42.050 and 29.36.260.

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

4 **Sec. 1.** RCW 29.42.050 and 1991 c 363 s 34 are each amended to read  
5 as follows:

6 ((The)) Precinct committee officers of major political parties will  
7 be elected at general elections held in even-numbered years or  
8 appointed as provided in this section. General statutory requirements  
9 for filing ((as a candidate at the primaries shall)) declarations of  
10 candidacy apply to ((candidates)) filing declarations of candidacy for  
11 a precinct committee officer of a major political party, except that  
12 the filing period for this office alone shall be extended to and  
13 include the Friday immediately following the last day for political  
14 parties to fill vacancies in the ticket as provided by RCW 29.18.150((  
15 and)). A primary may not be held for the office ((shall not be voted  
16 upon at the primaries, but the names of all candidates must appear  
17 under the proper party and office designations on the ballot for the  
18 general November election for each even-numbered year and the one)), no  
19 matter how many persons file for the same office. The position of

1 precinct committee officer of a major political party for a precinct  
2 may be placed on the ballot at the general election only if two or more  
3 persons file declarations of candidacy for that position. The  
4 candidate receiving the highest number of votes (~~shall~~) will be  
5 declared elected(~~PROVIDED, That to be declared elected, a candidate~~  
6 ~~must receive at least ten percent of the number of votes cast for the~~  
7 ~~candidate of the candidate's party receiving the greatest number of~~  
8 ~~votes in the precinct. Any person elected to the office of precinct~~  
9 ~~committee officer who has not filed a declaration of candidacy shall~~  
10 ~~pay the fee of one dollar to the county auditor for a certificate of~~  
11 ~~election)).~~ Even though the position of a precinct committee officer  
12 of each major political party for the same precinct are separate  
13 offices, voters in the precinct may vote for only one candidate for all  
14 of these positions. If only one person has filed a declaration of  
15 candidacy for the same office of precinct committee officer, the office  
16 may not be placed on the general election ballot, and the sole  
17 candidate will be declared to have been elected to that position.

18 The term of office of precinct committee officer shall be for two  
19 years, commencing upon completion of the official canvass of votes by  
20 the county canvassing board of election returns.

21 (~~Should any~~) If a vacancy occurs in this office by reason of  
22 death, resignation, or disqualification of the incumbent, or because of  
23 failure to elect, the respective county chair of the county central  
24 committee (~~shall be empowered to~~) may fill (~~such~~) the vacancy by  
25 appointment(~~PROVIDED, HOWEVER, That~~). However, in a legislative  
26 district(s) having a majority of its precincts in a county with a  
27 population of one million or more, (such) the appointment (~~shall~~)  
28 may be made only upon the recommendation of the legislative district  
29 chair(~~PROVIDED, That the~~). A person (~~so~~) who is appointed  
30 (~~shall~~) as a precinct committee officer must have the same  
31 qualifications as (~~candidates~~) a candidate for that position must  
32 have when filing for (~~election to such~~) that office (~~for such~~  
33 ~~precinct: PROVIDED FURTHER, That~~). When a vacancy in the office of  
34 precinct committee officer exists because of failure to elect at a  
35 state general election held in an even-numbered year, (such) the  
36 vacancy (shall) may not be filled until after the organization  
37 meeting of the county central committee and the new county chair  
38 selected as provided by RCW 29.42.030.

1       **Sec. 2.** RCW 29.36.260 and 2001 c 241 s 6 are each amended to read  
2 as follows:

3       (1) The county auditor shall issue an absentee ballot for the  
4 primary or election for which it was requested, or for the next  
5 occurring primary or election when ongoing absentee status has been  
6 requested if the information contained in a request for an absentee  
7 ballot or ongoing absentee status received by the county auditor is  
8 complete and correct and the applicant is qualified to vote under  
9 federal or state law. Otherwise, the county auditor shall notify the  
10 applicant of the reason or reasons why the request cannot be accepted.  
11 Whenever two or more candidates have filed for the position of precinct  
12 committee officer for the same party in the same precinct at a general  
13 election held in an even-numbered year, the contest for that position  
14 must be presented to absentee voters from that precinct by ~~((either))~~  
15 including the contest on ~~((the regular absentee ballot or))~~ a separate  
16 absentee ballot. The separate ballot must provide space designated for  
17 ~~((writing in the name of additional))~~ write-in candidates.

18       (2) A registered voter may obtain a replacement ballot if the  
19 ballot is destroyed, spoiled, lost, or not received by the voter. The  
20 voter may obtain the ballot by telephone request, by mail,  
21 electronically, or in person. The county auditor shall keep a record  
22 of each replacement ballot provided under this subsection.

23       (3) A copy of the state voters' and candidates' pamphlet must be  
24 sent to registered voters temporarily outside the state, out-of-state  
25 voters, overseas voters, and service voters along with the absentee  
26 ballot if such a pamphlet has been prepared for the primary or election  
27 and is available to the county auditor at the time of mailing. The  
28 county auditor shall mail all absentee ballots and related material to  
29 voters outside the territorial limits of the United States and the  
30 District of Columbia under 39 U.S.C. 3406.

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