
SENATE BILL 6100

State of Washington

58th Legislature

2004 Regular Session

By Senators Kastama, Shin, McAuliffe, Regala, Thibaudeau, Kline, Spanel, Brown, Doumit, Franklin, Keiser, Rasmussen, Eide, B. Sheldon, T. Sheldon and Fraser

Read first time 12/05/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the presidential primary; amending RCW 29.19.020
2 and 29A.56.020; amending 2003 1st sp.s. c 25 s 118 (uncodified); making
3 an appropriation; providing an effective date; providing an expiration
4 date; and declaring an emergency.

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

6 **Sec. 1.** RCW 29.19.020 and 1995 1st sp.s. c 20 s 1 are each amended
7 to read as follows:

8 (1) On the fourth Tuesday in May of each year in which a president
9 of the United States is to be nominated and elected, a presidential
10 primary shall be held at which voters may vote for the nominee of a
11 major political party for the office of president, except that no
12 presidential primary shall be held in 2004. The secretary of state may
13 propose an alternative date for the primary no later than the first day
14 of August of the year before the year in which a president is to be
15 nominated and elected.

16 (2) No later than the first day of September of the year before the
17 year in which a presidential nominee is selected, the state committee
18 of any major political party that will use the primary results for

1 candidates of that party may propose an alternative date for that
2 primary.

3 (3) If an alternative date is proposed under subsection (1) or (2)
4 of this section, a committee consisting of the chair and the vice-chair
5 of the state committee of each major political party, the secretary of
6 state, the majority leader and minority leader of the senate, and the
7 speaker and the minority leader of the house of representatives shall
8 meet and, if affirmed by a two-thirds vote of the members of the
9 committee, the date of the primary shall be changed. The committee
10 shall meet and decide on the proposed alternate date not later than the
11 first day of October of the year before the year in which a
12 presidential nominee is selected. The secretary of state shall convene
13 and preside over the meeting of the committee. A committee member
14 other than a legislator may appoint, in writing, a designee to serve on
15 his or her behalf. A legislator who is a member of the committee may
16 appoint, in writing, another legislator to serve on his or her behalf.

17 (4) If an alternate date is approved under this section, the
18 secretary of state shall adopt rules under RCW 29.19.070 to adjust the
19 deadlines in RCW 29.19.030 and related provisions of this chapter to
20 correspond with the date that has been approved.

21 **Sec. 2.** RCW 29A.56.020 and 2003 c 111 s 1402 are each amended to
22 read as follows:

23 (1) On the fourth Tuesday in May of each year in which a president
24 of the United States is to be nominated and elected, a presidential
25 primary shall be held at which voters may vote for the nominee of a
26 major political party for the office of president, except that no
27 presidential primary shall be held in 2004. The secretary of state may
28 propose an alternative date for the primary no later than the first day
29 of August of the year before the year in which a president is to be
30 nominated and elected.

31 (2) No later than the first day of September of the year before the
32 year in which a presidential nominee is selected, the state committee
33 of any major political party that will use the primary results for
34 candidates of that party may propose an alternative date for that
35 primary.

36 (3) If an alternative date is proposed under subsection (1) or (2)
37 of this section, a committee consisting of the chair and the vice-chair

1 of the state committee of each major political party, the secretary of
 2 state, the majority leader and minority leader of the senate, and the
 3 speaker and the minority leader of the house of representatives shall
 4 meet and, if affirmed by a two-thirds vote of the members of the
 5 committee, the date of the primary shall be changed. The committee
 6 shall meet and decide on the proposed alternate date not later than the
 7 first day of October of the year before the year in which a
 8 presidential nominee is selected. The secretary of state shall convene
 9 and preside over the meeting of the committee. A committee member
 10 other than a legislator may appoint, in writing, a designee to serve on
 11 his or her behalf. A legislator who is a member of the committee may
 12 appoint, in writing, another legislator to serve on his or her behalf.

13 (4) If an alternate date is approved under this section, the
 14 secretary of state shall adopt rules under RCW 29A.04.620 to adjust the
 15 deadlines in RCW 29A.56.030 and related provisions of this chapter to
 16 correspond with the date that has been approved.

17 **Sec. 3.** 2003 1st sp.s. c 25 s 118 (uncodified) is amended to read
 18 as follows:

19 **FOR THE SECRETARY OF STATE**

20	General Fund--State Appropriation (FY 2004)	\$((24,336,000))
21		<u>18,298,000</u>
22	General Fund--State Appropriation (FY 2005)	\$17,092,000
23	General Fund--Federal Appropriation	\$6,967,000
24	Archives and Records Management Account--State	
25	Appropriation	\$8,150,000
26	Department of Personnel Service Account--State	
27	Appropriation	\$699,000
28	Election Account--Federal Appropriation	\$13,121,000
29	Local Government Archives Account--State Appropriation . .	\$7,067,000
30	TOTAL APPROPRIATION	\$((77,432,000))
31		<u>71,394,000</u>

32 The appropriations in this section are subject to the following
 33 conditions and limitations:

34 (1) \$2,296,000 of the general fund--state appropriation for fiscal
 35 year 2004 is provided solely to reimburse counties for the state's
 36 share of primary and general election costs and the costs of conducting

1 mandatory recounts on state measures. Counties shall be reimbursed
2 only for those odd-year election costs that the secretary of state
3 validates as eligible for reimbursement.

4 (2) \$1,826,000 of the general fund--state appropriation for fiscal
5 year 2004 and \$2,686,000 of the general fund--state appropriation for
6 fiscal year 2005 are provided solely for the verification of initiative
7 and referendum petitions, maintenance of related voter registration
8 records, and the publication and distribution of the voters and
9 candidates pamphlet.

10 (3) \$125,000 of the general fund--state appropriation for fiscal
11 year 2004 and \$118,000 of the general fund--state appropriation for
12 fiscal year 2005 are provided solely for legal advertising of state
13 measures under RCW 29.27.072.

14 (4)(a) \$1,944,004 of the general fund--state appropriation for
15 fiscal year 2004 and \$1,986,772 of the general fund--state
16 appropriation for fiscal year 2005 are provided solely for contracting
17 with a nonprofit organization to produce gavel-to-gavel television
18 coverage of state government deliberations and other events of
19 statewide significance during the 2003-05 biennium. The funding level
20 for each year of the contract shall be based on the amount provided in
21 this subsection. The nonprofit organization shall be required to raise
22 contributions or commitments to make contributions, in cash or in kind,
23 in an amount equal to forty percent of the state contribution. The
24 office of the secretary of state may make full or partial payment once
25 all criteria in (a) and (b) of this subsection have been satisfactorily
26 documented.

27 (b) The legislature finds that the commitment of on-going funding
28 is necessary to ensure continuous, autonomous, and independent coverage
29 of public affairs. For that purpose, the secretary of state shall
30 enter into a four-year contract with the nonprofit organization to
31 provide public affairs coverage through June 30, 2006.

32 (c) The nonprofit organization shall prepare an annual independent
33 audit, an annual financial statement, and an annual report, including
34 benchmarks that measure the success of the nonprofit organization in
35 meeting the intent of the program.

36 (d) No portion of any amounts disbursed pursuant to this subsection
37 may be used, directly or indirectly, for any of the following purposes:

1 (i) Attempting to influence the passage or defeat of any
2 legislation by the legislature of the state of Washington, by any
3 county, city, town, or other political subdivision of the state of
4 Washington, or by the congress, or the adoption or rejection of any
5 rule, standard, rate, or other legislative enactment of any state
6 agency;

7 (ii) Making contributions reportable under chapter 42.17 RCW; or

8 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,
9 lodging, meals, or entertainment to a public officer or employee.

10 ~~((5) \$6,038,000 of the general fund state appropriation for
11 fiscal year 2004 is provided solely to reimburse the counties for the
12 state's share of the cost of conducting the presidential primary.))~~

13 NEW SECTION. **Sec. 4.** Sections 1 and 3 of this act are necessary
14 for the immediate preservation of the public peace, health, or safety,
15 or support of the state government and its existing public
16 institutions, and take effect immediately.

17 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect July 1,
18 2004.

19 NEW SECTION. **Sec. 6.** Section 1 of this act expires July 1, 2004.

--- END ---