

HOUSE BILL REPORT

HB 1636

As Reported By House Committee On:
State Government

Title: An act relating to changing primary dates and associated election procedures.

Brief Description: Changing primary dates and associated election procedures.

Sponsors: Representatives D. Schmidt, Romero, Scott, Sullivan, Wensman, O'Brien, Kessler, Cooper, Conway, Ogden, Esser, H. Sommers, Lambert, Miloscia, Haigh, Benson, Santos, Doumit, Pennington, D. Sommers, Dunn, Alexander, Lovick, Lantz, Schual-Berke, Linville, Ruderman, McIntire, Dunshee, Campbell, Murray, Keiser, Delvin, Mielke, Mastin, Cody, Hatfield, Veloria, Regala, Edwards, Constantine, Carlson, Wolfe, Wood, Hankins, Barlean, Clements, Mulliken, Kenney, Tokuda, Bush, Fisher and Hurst.

Brief History:

Committee Activity:

State Government: 2/12/99, 3/2/99 [DPS];

State Government: 2/2/00, 2/4/00 [DP2S].

Brief Summary of Second Substitute Bill

- The date of the primary is moved back from one of two different Tuesdays in September to the second Tuesday in August, and other election-related dates are moved back to accommodate the primary date change.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 5 members: Representatives McMorris, Republican Co-Chair; Campbell, Republican Vice Chair; Haigh; Lambert and D. Schmidt.

Minority Report: Without recommendation. Signed by 3 members: Representatives Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair and Dunshee.

Staff: Steve Lundin (786-7127).

Background:

A primary election to nominate candidates is held at the earlier of either: (1) the third Tuesday in September prior to a general election; or (2) the seventh Tuesday prior to a general election.

Declarations of candidacy for elective office are made with the filing officer during regular office hours for a five-day period beginning on the fourth Monday in July and ending on the following Friday, in the year in which the office is to be filled. If no one declares candidacy for an office during this regular filing period, a special filing period is opened for three days.

If no one has filed for the nomination of a major political party by the business end of the Thursday following the end of the regular filing period, the major political party may nominate its candidate on the next day.

A convention to nominate a person as a candidate of a minor political party for a partisan office, or for a person to file as an independent candidate for a partisan office, is held during the eight-day period from the last Saturday in June through the first Saturday in July.

Summary of Second Substitute Bill:Date of primary moved back.

The date of the primary is moved back from a date in September (the earlier of the third Tuesday in September or the seventh Tuesday preceding the general election) to the second Tuesday in August.

Period holding conventions to nominate minor party candidates and independents moved back.

The eight-day period when a convention may be held to select a nominee to a partisan office by a minor party, or as an independent candidate to a partisan office, is moved back so that the convention must be held from the third Saturday in May to the fourth Saturday in May, rather than from the last Saturday in June to the first Saturday in July.

Filing period moved back.

Filing periods when declarations of candidacy are filed are altered and given specific names. The basic five-day filing period is called the regular filing period, and the

first day of this regular filing period is moved back from the fourth Monday in July to the second Monday in June.

The three-day filing period that is held if no one files his or her declaration of candidacy during the regular filing period is called the special filing period. This special three-day filing period opens on the Monday after the close of the regular filing period and closes on the following Wednesday. If no person files a declaration of candidacy as a member of a major political party for a partisan position, the major political party may select its nominee no later than the first Friday after the close of the regular filing period.

It is clarified that another three-day filing period is opened if a void in candidacy occurs in a nonpartisan office after one or more eligible persons had filed for office during the regular or special filing period.

Second Substitute Bill Compared to Original Bill: A statute is amended to refer to the three-day special filing period.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Second Substitute Bill: The bill takes effect January 1, 2000.

Testimony For: It is most important to move the date of the primary back to provide more time between the primary and general election. We are heading for a train wreck. We need a greater transit period for overseas and service voters.

Testimony Against: None.

Testified: Representative Dave Schmidt, prime sponsor; Cherie Davidson, League of Women Voters; and Bob Terwilliger, Auditors Association.