

Referendum Measure No. 15

BALLOT TITLE

"AN ACT relating to the election and powers of precinct committeemen and party committees, the nomination of candidates for public office, and the holding of party conventions for the purpose of adopting platforms and nominating presidential electors."

AN ACT relating to the nomination of candidates for public office, the holding of party conventions, the election and powers of party committees, and amending sections 4807, 4809 and 4826 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and providing penalties for its violation.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That Section 4826 of Rem. & Bal. Code be amended to read as follows:

Section 4826. (a) The Precinct Committee of each party entitled to participate in the September primaries shall be elected at the September primaries. Any elector duly registered to vote in his precinct may file, at a cost of \$1.00, with the county auditor, a declaration of candidacy for precinct committeemen for the party only with which he is duly registered, and for the election precinct in which he resides. Said filing shall be in all respects and follow the form provided in Section 15 of this act, and be governed by its provisions. The name of such candidates so filing for precinct committeemen shall be printed or stamped upon the ballot provided for in Section 4813 of Rem. & Bal. Code: *Provided*, That nothing herein contained shall prevent any voter from writing in on the ticket the name of one qualified registered elector of the precinct, for member of the party committee of the party with which said elector is registered. The one having the highest number of votes shall be such committeeman of such party for such

precinct: *Provided*, That the auditor shall determine all cases of ties as provided by the primary election laws of this state. The county auditor shall certify to each county committee the names of the duly elected committeemen of that party, on or before the Monday following the said primary election.

(b) The party committee of each county shall consist of the precinct committeemen from the several precincts of such county. The state committee shall consist of one committeeman from each county, elected by the county committee: *Provided*, That the state committee of each party may, by resolution duly passed, provide for the election of the state committeemen of each county by the county convention to be held in accordance with the provisions of this act. The county committee shall meet for the purpose of electing the state committeemen, and for the purpose of organization, at the court house at the county seat of each county at 2 o'clock p. m. on the second Saturday after the primary election, unless some other time and place of such meeting shall be designated by a regular call of the properly authorized officers of the retiring committee. The county auditors of the various counties shall issue certificates of election to the said committeemen as is provided in the case of other primary nominations.

(c) Each county committee shall have power to make its own rules and regulations, to call conventions, to provide for the election of delegates to such county conventions, to fill all vacancies on the ticket, to delegate the whole or any part of its

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functions to duly authorized and elected officers or committees, and to perform all other functions regularly inherent in such organizations for political purposes, the same as though this act had not been passed.

(d) The state committee shall have the power to make its own rules and regulations, to call conventions, state, district and national, to provide for nominating presidential electors, to fill all vacancies which may occur on the ticket, to delegate the whole or any part of its functions to duly authorized and elected officers or committees, and perform all other functions usually inherent in organizations for political purposes.

SEC. 2. Hereafter, each political party of this state, entitled under the existing laws to participate in the September primaries, shall hold county and state conventions prior to May 15, and June 15, respectively, of 1922, and each biennial year thereafter. Each county party committee at a meeting duly called and held not more than thirty (30) days nor less than ten (10) days before the holding of the party primary for the selecting of delegates to the county conventions, as hereinafter provided, shall determine the date, the hour and the place of holding the county convention, determine the total number of delegates to be elected thereto, fix the basis of representation in each precinct, which basis shall be the same for each voting precinct in said county, and determine the number of delegates from each voting precinct: *Provided*, That each voting precinct shall be entitled to at least one delegate. The said list, matters, and things herein provided for, shall thereupon be filed in the office of the county auditor, without charge, duly certified by the chairman and secretary of each party, within three days after the holding of said meeting. Not less than ten days' notice of the time and place of holding the county convention shall be given through the press of the county by the county executive officers of each party.

SEC. 3. Delegates to county conventions of each party shall be selected in pursuance of the rules and regulations passed by the party com-

mittee of each respective county in conformity to this act. Such rules must cover at least: First, the date, the time and place of holding the elections in the precincts and the hours between which the polls are to be kept open: *Provided*, That the date of holding such party precinct elections shall be at least five days prior to the holdings of the county conventions, and: *Provided, further*, That the polls shall, in all cases, be kept open for a period of at least two hours, between one o'clock p. m. and eight o'clock p. m. on the day on which the election is to be held. Second, reasonable and proper provision must be made for judges or officers at such election, to be qualified voters of the precinct for which they are designated and registered with the party. Third, the qualifications required for voters in order to participate in such party election of delegates: *Provided*, That if the right of any voter to vote is challenged, such voter shall be required to make an affidavit, which may be administered by any of the officers of the said election, to the fact that he is a qualified voter of said precinct and complies with the qualifications enabling him to participate in such party election of delegates and intends to support and vote for the party nominees at the ensuing general election. Fourth, the method and manner of making returns of the said party election of delegates to the county party committee. Fifth, the manner of giving the notice in each precinct of the time, place and hours of holding the said precinct party election.

SEC. 4. At least ten days prior to any such election of delegates to a county convention, there shall be published in one or more newspapers of general circulation in the county, in and for which such party election is to be called, a notice which must state the time, place or places of such election, the date, the number of delegates to be selected from each precinct, and a general statement of the manner and conditions of holding such election, and the authority by which the call for which such election is published by such county committee. Likewise there shall be

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posted, at least ten days prior to such election, in at least one public place in each precinct, a notice signed by the chairman or secretary of the county committee, calling such election, and which notice must also state in brief the date and place of such election and the number of delegates to be selected from such precinct.

SEC. 5. The qualifications and duties of judges and officers of the party election, designated by such county committee, and their organization for the purposes of conducting such election, shall be the same as those provided in the general election, in so far as the same may be reasonably applicable; and such election officers shall have the power to administer oaths and the right to question any voter as to his party affiliation and intention to support the nominees of the party at whose party election he is proposing to vote. In case the judges or officers designated by the county committee fail to attend, the voters present may select others in lieu of such as fail to attend.

SEC. 6. The ticket to be voted at said party election may be either printed or written, or partly printed and partly written.

SEC. 7. It shall be the duty of one of the officers of each party election board to keep a list of the names of all persons voting at such election, numbered in order of their voting; and the said board shall, immediately upon the closing of the polls proceed to canvass the vote, publicly, and shall deliver the tabulated returns to the county party committee, showing the names of all persons voted for and the number voted for and the number of votes cast for each person, and certify the same to be correct, which certificate shall be attested by the officer of said party election. The chairman of the party election board shall preserve the ballots cast and the list of names of those voting at such election, for a period of at least fifteen (15) days: *Provided, however,* That in case of a contest of the election in any precinct, the said chairman shall deliver said ballots and the said list to the secretary of the county committee upon his demand.

SEC. 8. Before receiving any ballots the officers of said party election, in the presence of all persons assembled at the respective precinct polling places, shall open and exhibit the ballot box, so that no ballots shall be therein at the time the polls are open, and thereafter said ballot box must not be removed from the polling places by any person, nor from the view of the by-standers, until all the ballots are counted, nor must it be opened for the purpose of counting the votes until the polls are closed.

SEC. 9. The delegates elected to county conventions provided for in this act shall assemble in their respective counties on the date fixed by the county committee calling for the election of such delegates, at the hour and place named by such committee. In addition to the usual powers exercised by county conventions, each county convention shall adopt a platform, select the number of delegates to the state convention provided for in the call of the state committee, and shall select one member of a state advisory platform committee.

SEC. 10. The provisions of this act shall not apply to special elections for filling vacancies for unexpired terms, or to any city, town or school, dike, waterway, port, or metropolitan park district, or any local improvement district election; nor shall the provisions of this act apply or be made applicable in any way to any party casting less than ten per cent (10%) of the votes for candidates for Governor at the last preceding general election; nor shall the provisions of this act be considered as repealing any existing statutes of this state providing for the selection of delegates to county conventions where any party committee elects by resolution to accept the provisions of existing laws in the manner provided by existing law.

SEC. 11. It shall be the duty of the members of the platform advisory committee, as provided for in this act, to meet at the place of holding the state convention at ten (10) o'clock a. m. on the second day preceding the holding of the said state convention, and shall hold public

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hearings and submit to the state convention an advisory platform.

SEC. 12. It shall be the duty of the state committee of each of the political parties entitled to hold conventions under this act, to issue a call for their state conventions, specifying the time and place of holding the conventions, and which call shall be issued not less than thirty (30) days before the holding of the party election for selection of delegates to county conventions, by giving due notice thereof through the press and by mailing a copy of said call to each state committeeman, and to the executive officers of each of the county organizations of that party, and to the county auditor of each county. The state committee, in its call shall determine upon the total number of delegates to attend the state convention, and shall fix the basis of representation for, and the number of delegates from, each county: *Provided, however,* That the basis of representation for each county shall be the same and that each county shall be entitled to at least one (1) delegate. No proxies shall be allowed in any conventions provided for in this act, and it is further provided that no convention held under the provisions of this act shall make endorsements of the candidacy of any person for either U. S. Senatorial, Congressional, state or county office. In case the state committee of any such party should fail or neglect prior to May first of any even numbered year to issue a call for a state convention for such party, then a state convention of such party for the purpose outlined in this act shall be held upon the petition of one hundred electors, filed with the secretary of state, and which petition shall set forth the manner, method and conditions of holding such state convention: *Provided, however,* If such convention is called under such petition, the date of such convention shall be the first Thursday of June of such year.

SEC. 13. It shall be the duty of the state conventions of each of the parties required to hold conventions as herein provided, to adopt a plat-

form and to make a clear and concise statement of its principles and its general legislative program. In addition thereto, the said state convention shall have the powers and perform the duties usually held and preformed by state conventions; and shall have the power to nominate the presidential electors to which the said state shall be entitled, and the names of which said electors shall be printed under the party designation on the ballots to be used in the succeeding general election.

SEC. 14. That Section 4809 of Rem. & Bal. Code be amended to read as follows:

Section 4809. Any political organization which at the general election last preceding the primary, was represented on the official ballot, either by regular party candidates or by individual nominees only, may, upon complying with the provisions of this act, have a separate primary election ticket as a political party, if any of its candidates or individual nominees received 10% of the total vote cast at such last preceding general election in the state, or subdivisions thereof, in which the candidate seeks the nomination: *Provided,* That such political party shall have held on or before the 15th day of June preceding said primary, a state convention in said state, at which convention said party shall have declared its political principles and its legislative program: *And provided, further,* That a copy of such declaration of political principles and legislative program shall have been signed by the officers of such convention and filed with the secretary of state within ten (10) days after the adjournment of such convention.

SEC. 15. That Section 4807 of Rem. & Bal. Code be amended to read as follows:

Section 4807. The name of no candidate shall be printed upon an official ballot used at any primary election unless at least thirty (30) and not more than sixty (60) days prior to such primary, a declaration of candidacy shall have been filed by him, as provided in this act, in the following form:

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I,, being first duly sworn, declare that I reside at No. Street. (city or town) of County of State of Washington, and am a qualified voter therein, and am duly registered with and am a member of theparty; that I hereby declare myself a candidate for the nomination to the office of to be made at the primary election to be held on the day of, and hereby request that my name be printed upon the official primary ballot as provided by law as a candidate of the party, with which party I have either affiliated for at least two years last past or since gaining the right of suffrage, and in the principles of which I believe, and I accompany herewith the sum of dollars, the fee required by law of me for becoming such candidate. I further declare that if nominated for said office I will accept said nomination and not withdraw, unless so authorized by my party committee, and I will qualify as such officer if nominated and elected. I further declare that I hereby accept and endorse the platform as heretofore

adopted by the party, at its last state convention. If elected, I hereby agree to support the same generally, and endeavor to have enacted into law the principles therein enunciated.

.....
Subscribed and sworn to this. . . . day of, 192...

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Provided, That no person who desires to become a candidate for the office of supreme or superior court judge shall certify his party affiliations.

SEC. 16. Any person knowingly violating any of the provisions of this act, or making any false return or certificate, or knowingly making false canvass of the votes, or doing any other act for the purpose of preventing fair election of delegates, or for the purpose of falsifying any of the returns provided for in this act, shall be guilty of a misdemeanor.

Passed the Senate March 1, 1921.
Passed the House March 8, 1921.
Approved by the Governor March 19, 1921.

STATE OF WASHINGTON—*ss.*

Filed in the office of Secretary of State April 9, 1921.

J. GRANT HINKLE, *Secretary of State.*