

**PRIMARY ELECTION LAW OF  
WASHINGTON WITH REMINGTON  
& BALLINGER'S CODE OF  
WASHINGTON REFERENCES**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649259236

Primary Election Law of Washington with Remington & Ballinger's Code of Washington  
References by I. M. Howeli

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**I. M. HOWELI**

**PRIMARY ELECTION LAW OF  
WASHINGTON WITH REMINGTON  
& BALLINGER'S CODE OF  
WASHINGTON REFERENCES**



STATE OF  
WASHINGTON

## PRIMARY ELECTION LAW

AN ACT relating to, regulating and providing for the nomination of candidates for public office in the State of Washington and providing penalties for the violation thereof, and declaring an emergency, as amended by an act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington and providing penalties for the violation thereof, and amending sections 1, 2, 3, 5, 10, 13, 22, 29, 30, 33 and 38 of an act entitled "An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington, and providing penalties for the violation thereof, and declaring an emergency," approved March 15, 1907, and declaring an emergency.

*Be it Enacted by the Legislature of the State of Washington:*

### Definition and Construction.

SECTION 1. [§ 4804, Rem.-Bal.] The words and phrases in this act shall, unless the same be inconsistent with the context, be construed as follows:

(a) The word "primary" the primary election provided for by this act.

(b) The words "September primary" the primary election held in September to nominate candidates to be voted for at the ensuing election.

(c) The word "election" a general or city election as distinguished from a primary election.

### Candidates, How Nominated.

Sec. 2. [§ 4805, Rem.-Bal.] Hereafter, all candidates for elective offices in this state, either state, county, municipal, precinct or congressional, shall be nominated at a direct primary election held in pursuance of this act: *Provided*, That this act shall not

#### 4 PRIMARY ELECTION LAW

be held to refer to special elections for filling the vacancies for unexpired terms, or to election to offices of any city or town of the fourth class or for any school, dike, irrigation or metropolitan park district or other local improvement election, or for presidential electors.

*Provided further*, That the provisions of this act shall not apply to nominations of candidates for municipal elective offices in cities of the first class which have adopted or may hereafter adopt charters under section 10, Article XI, of the State Constitution, where such charters have provided or may hereafter provide a non-partisan method or methods of nominating candidates for municipal elective offices; and all such cities shall have the right and power to provide in their charters for any method or methods of non-partisan nomination of candidates for their elective offices as they may desire.

#### Primaries, When and Where Held.

SEC. 3. [§ 4806, Rem.-Bal.] A primary election held to nominate candidates to be voted for at the general election in November, 1908, shall be held at the regular polling places in each precinct on the second Tuesday of September, 1908, and biennially thereafter, for the nomination of all candidates to be voted for at the succeeding general election. Except as hereinafter provided, any primary other than the September primary shall be held four weeks before the election for which candidates are to be nominated at such primary; *Provided*, That primaries for the nomination of candidates to be voted upon at municipal elections held during 1907 shall be held two weeks prior to the date of said elections.

#### Declaration of Candidacy.

SEC. 4. [§ 4807, Rem.-Bal.] 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:

I, ....., declare upon honor that I reside at No. .. street, ..... (city or town) of ....., county of ....., State of Washington, and am a qualified voter therein, and a member of ..... party, that I hereby declare myself a candidate for 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, and I accompany herewith the sum ..... dollars, the fee required by law of me for becoming such candidate. Subscribed this ..... day of ....., 191.....

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

#### **Fees to be Paid by Candidates.**

Sec. 5. [§ 4808, Rem.-Bal.] At least thirty (30) days before the primary election any person who shall be eligible, who shall desire to become a candidate for nomination for any office, subject to this act, shall file in the proper office a declaration of candidacy accompanied by the fee provided for in this act, which fee shall be as follows: For any office with a salary or compensation attached, of one thousand dollars or less per annum, ten (\$10) dollars; when such salary or compensation exceeds one thousand dollars per annum, an additional sum, equal to 1 per cent. on such excess; and in case of any precinct office without salary, the filing fee shall be one (\$1) dollar.

Said fee shall be paid to the following officers: When the candidacy is for a state, congressional or district office, embracing more than one county, the

fee shall be paid to the Secretary of State, to be paid by him to the State Treasurer, and when for district officers for more than one county, the same shall be divided equally between the counties composing such district and paid to the respective treasurers thereof, and the Secretary of State shall issue all necessary warrants for such payments on the State Treasurer. When such fees are for county offices and offices for districts within counties, such fee shall be paid to the county auditors and by them to the respective county treasurers, and when for city or municipal offices, shall be paid to the respective clerks of such cities or municipalities and by them to the respective treasurers of the same.

#### Political Party Candidates.

SEC. 6. [§ 4809, Rem.-Bal.] Any political organization which at the general or city election last preceding the primary was represented on the official ballot by either 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 per cent. of the total vote cast at such last preceding general or city election in this state, or subdivision thereof, in which the candidate seeks the nomination.

#### Declarations, How Filed.

SEC. 7. [§ 4810, Rem.-Bal.] All declarations of candidacy shall be filed as follows:

First.—For state officers, United States senators, representatives in Congress and those members of the state Legislature and judges of the superior court whose districts comprise more than one county, in the office of the Secretary of State.

Second.—For officers to be voted for wholly in one county, in the office of the county auditor of such county.



Third.—For city officers, in the office of the city clerk.

**Notice of Primaries, How Given.**

Sec. 8. [§ 4811, Rem.-Bal.] First.—At least 20 days before any September primary the Secretary of State shall transmit to each county auditor a certified list containing the name, postoffice address and party designation of each person entitled to be voted for at such primary, and the office for which he is a candidate, as appears by the nomination papers filed in his office.

Second.—Each county auditor shall, at least fifteen days before the September primary, publish once, under the proper party designation and title of each office, the names and addresses of all persons for whom nomination papers have been filed in so far as the same shall affect the electors of his county, giving the date of the primary, the hours during which the polls will be open, and that the primary will be held in the regular polling place in each precinct, and shall cause to be posted copies of such notice in at least three public places in each precinct in his county: *Provided*, That the names of all candidates for the offices of supreme and superior court judge shall be published and posted in a separate list without party designation.

**Publication of Notices.**

Sec. 9. [§ 4812, Rem.-Bal.] Any publication required in this act shall be made in two newspapers in each county or city, of general circulation, representing the two political parties that cast the largest vote in such county or city at the last preceding general election.

In any case where the publication of a notice cannot be made as hereinbefore required, it may be made in any newspaper having a general circulation

in the county or city in which the notice is required to be published.

#### Method of Voting and Form of Ballot.

Sec. 10. [§ 4813, Rem.-Bal.] The method of voting at such primary election shall be by ballot, and all ballots voted shall be printed as herein provided.

On the 15th day before the primary election the county auditor shall group all the candidates for each party by themselves, and shall prepare at once in writing, a separate sample ballot for each party for public inspection, which he shall post in a conspicuous place in his office. He shall proceed to have printed a separate primary election ballot for each political party which has qualified as hereinbefore provided. These ballots to be prepared in the following manner:

Every ticket shall be absolutely uniform in color and size, shall be white and printed in black ink. Across the head of each ballot shall be printed in plain, black type, first, the name of the political party, on each ticket, following the words, "Primary Election Ballot." On the next line shall be printed the name of the political party, and below that the county in which the ballot is to be used. Then shall follow the words "To vote for a person mark a cross in the first square at the right of the name of the person for whom you desire to vote." Beginning at the top of the left hand column, at the left of the line, in black type, shall appear the position for which the names following are candidates, and to the extreme right of the same line the words "Vote for," then the words "One," "Two," or a spelled number designating how many persons under that head are to be voted for.

Following this shall come the name of each candidate for that position, inclosed in a light faced rule, with a square to the right of said name, said square being separated by heavy black face rule, the

parallel rules containing the names and squares to be one-sixth of an inch apart. Each position, with the name running for that office, shall be separated from the following one by a black-face rule to separate each position clearly. The position shall be arranged as follows, provided nominees for such positions are to be selected in said county under the provisions of this act hereinafter provided: First, congressional; next, state; next, preference for United States senators; next, legislative; next, county officers; next, precinct officers; in all cases following under each heading here given, the rotation used in the make-up, of the various ballots at the general election.

In city elections it shall be the duty of the city clerk to prepare the ballots and arrange the position of the candidates on such ballots commencing with the office of mayor and following with the offices for which candidates are to be selected, using his reasonable discretion as to such arrangement. The duties provided for in this act to be performed by the county auditor with reference to candidates for county and district offices or either of them shall in like manner be performed by the city clerk in each city with reference to the preparation of ballots and primary elections for candidates for city offices.

When there shall be four or more candidates for any state or congressional office, there shall be printed immediately under the designation of office, the following: "Vote for both first and second choice for this office." On the next line shall be printed the words "To vote for a person for first choice, mark a cross (X) in the first square at the right of the name of the person for whom you desire to vote." "To vote for a person for second choice, mark a cross (X) in the second square after the name of the person for whom you desire to vote." The form of ballot shall be substantially as follows: