

SENATE BILL REPORT

SHB 1001

AS OF MARCH 11, 1991

Brief Description: Requiring the top two vote getters in nonpartisan elections to appear on the general election ballot.

SPONSORS: House Committee on State Government (originally sponsored by Representatives Locke, Ballard, Appelwick, Peery, Ludwig, Belcher, Prince, H. Myers, Tate, Vance, D. Sommers, Morton, Wineberry, Mitchell, Beck, Forner, McLean, Brough, Edmondson, Chandler, P. Johnson, Moyer, Hochstatter, Lisk, Wood, Paris, Casada, Nealey, Brekke, Silver, Wynne, Fraser, May and Anderson).

HOUSE COMMITTEE ON STATE GOVERNMENT

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Rod McAulay (786-7754)

Hearing Dates: April 1, 1991

BACKGROUND:

In elections of Supreme Court justices, judges of the Court of Appeals, superior court judges (where there is more than one candidate) and Superintendent of Public Instruction (where there are more than two candidates), a primary shall be conducted. The candidate receiving a majority in the primary will be the only name to appear on the general election ballot. If no candidate receives a majority, the two candidates receiving the highest vote will appear on the general election ballot.

In the election of the Superintendent of Public Instruction, if, after the time for withdrawal of candidacies, there are only two candidates for a position, there shall be no primary and their names shall be placed on the general election ballot. After July 1, 1992, if there is no primary election, the order of the candidates on the general election ballot shall be determined by lot.

In the case of superior court judges, Article 4, Sec. 29 of the State Constitution provides that if there is only one candidate, she or he shall not appear on either a primary or general election ballot and their election shall be certified by the election officer.

SUMMARY:

In judicial elections if, after the time for withdrawal of candidacies, there are no more than two candidates, there will be no primary and the names of the candidates shall be placed upon the general election ballot in an order determined by lot.

In an election with three or more candidates for Supreme Court justice, judge of the Court of Appeals, superior court judge and Superintendent of Public Instruction, prior to July 1, 1992, the top two vote getters in the primary shall appear on the general election ballot. After July 1, 1992, the top two vote getters receiving more than 1 percent of the vote shall appear on the general election ballot with the candidate receiving the most votes appearing first.

In an election of the Superintendent of Public Instruction prior to July 1, 1992 where there is no primary election, the order of the names of the candidates on the general election ballot shall be determined by lot.

Appropriation: none

Revenue: none

Fiscal Note: available