

HOUSE BILL REPORT

SHB 1093

As Passed House:

March 13, 2003

Title: An act relating to the order of candidates on ballots.

Brief Description: Updating primary ballot rotation law.

Sponsors: By House Committee on State Government (originally sponsored by Representatives Hatfield, Hankins, Morris and Blake).

Brief History:

Committee Activity:

State Government: 2/13/03, 2/27/03 [DPS].

Floor Activity:

Passed House: 3/13/03, 70-24.

Brief Summary of Substitute Bill

- Eliminates the rotation of candidates' names for partisan federal, state, and county offices, for judicial offices, for the Office of Superintendent of Public Instruction on the primary election ballot.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon and Tom.

Minority Report: Do not pass. Signed by 1 member: Representative Wallace.

Staff: Katie Blinn (786-7114).

Background:

For the primary election, the order in which candidates' names appear on the ballot is determined by lot. However, for ballots used at a polling place at a primary election, candidates' names for partisan federal, state, and county offices, for judicial offices, for

the Office of Superintendent of Public Instruction (OSPI) are also rotated within each office. Rotation is accomplished by taking the first name on the list determined by lot, moving it to the last position, and moving each of the other names up one position. Rotation occurs as many times as there are candidates for that office. Consequently, there must be as many different sets of ballots as there are candidates in the rotated office with the most candidates.

For the general election, the order in which nonpartisan candidates' names appear on the ballot is determined by lot. The order in which partisan candidates' names appear on the ballot is determined by the most popular party in Washington in the last presidential election. Candidates in the party that received the most votes from Washington voters in the last presidential election appear first for each partisan race on the general election ballot.

Summary of Substitute Bill:

Candidates' names for partisan federal, state, and county offices, for judicial offices, for the OSPI are no longer rotated. However, the order of these candidates continues to be determined by lot.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Studies show that name rotation does not have an impact on the results of an election. Eliminating the requirement to rotate names will save counties money. The process adds costs without adding value. The estimated cost of rotating names is \$478,000 across the state, which is not reimbursed by the state. Several studies conducted across the country indicate that rotation causes voter confusion, negatively impacts uneducated voters, increases election costs, increases error rates, and increases software programming costs. Election costs are increased by the rotation requirement because ballots have to be printed and processed in separate batches, rather than just printing and processing them all together. The process by which names are arranged at random, called "by lot" in the statutes, is already a public process.

Testimony Against: None.

Testified: Representative Hatfield, prime sponsor; Kris Swanson, Cowlitz County Auditor; and Bob Terwiliger, Snohomish County Auditor.

