H-0369.1

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**HOUSE BILL 1051**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives DeBolt, Dunshee, Condotta, Orcutt, Taylor, Harris, Schmick, Manweller, G. Hunt, Kochmar, Buys, Young, Holy, Haler, Vick, Shea, Riccelli, Pike, Gregerson, and Wilson

AN ACT Relating to authorizing elections for the office of justice of the supreme court as partisan elections; amending RCW 29A.04.110 and 29A.52.231; reenacting and amending RCW 29A.36.170; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that because the supreme court has decided to act like the legislature and has thus violated the separation of powers, the supreme court should be considered partisan like the legislature.

**Sec.**  RCW 29A.04.110 and 2005 c 2 s 4 are each amended to read as follows:

"Partisan office" means a public office for which a candidate may indicate a political party preference on his or her declaration of candidacy and have that preference appear on the primary and general election ballot in conjunction with his or her name. The following are partisan offices:

(1) United States senator and United States representative;

(2) All state offices, including legislative and justice of the supreme court, ((~~except~~))but not including (a) all other judicial offices and (b) the office of superintendent of public instruction; and

(3) All county offices except (a) judicial offices and (b) those offices for which a county home rule charter provides otherwise.

**Sec.**  RCW 29A.36.170 and 2013 c 11 s 45 and 2013 c 143 s 1 are each reenacted and amended to read as follows:

(1) For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot; the name of the candidate who received the greatest number of votes will appear first and the candidate who received the next greatest number of votes will appear second. No candidate's name may be printed on the subsequent general election ballot unless he or she receives at least one percent of the total votes cast for that office at the preceding primary, if a primary was conducted. On the ballot at the general election for an office for which no primary was held, the names of the candidates shall be listed in the order determined under RCW 29A.36.131.

(2) For the office of ((~~justice of the supreme court,~~)) judge of the court of appeals, judge of the superior court, judge of the district court, or state superintendent of public instruction, if a candidate in a contested primary receives a majority of all the votes cast for that office or position, only the name of that candidate may be printed for that position on the ballot at the general election.

**Sec.**  RCW 29A.52.231 and 2004 c 271 s 174 are each amended to read as follows:

The offices of superintendent of public instruction, ((~~justice of the supreme court,~~)) judge of the court of appeals, judge of the superior court, and judge of the district court shall be nonpartisan and the candidates therefor shall be nominated and elected as such.

All city, town, and special purpose district elective offices shall be nonpartisan and the candidates therefor shall be nominated and elected as such.

**--- END ---**