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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

Prefiled 12/19/14. Read first time 01/12/15. Referred to Committee on Judiciary.

1 AN ACT Relating to authorizing elections for the office of  
2 justice of the supreme court as partisan elections; amending RCW  
3 29A.04.110 and 29A.52.231; reenacting and amending RCW 29A.36.170;  
4 and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that because the  
7 supreme court has decided to act like the legislature and has thus  
8 violated the separation of powers, the supreme court should be  
9 considered partisan like the legislature.

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

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

- 17 (1) United States senator and United States representative;  
18 (2) All state offices, including legislative and justice of the  
19 supreme court, ((except)) but not including (a) all other judicial

1 offices and (b) the office of superintendent of public instruction;  
2 and

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

5 **Sec. 3.** RCW 29A.36.170 and 2013 c 11 s 45 and 2013 c 143 s 1 are  
6 each reenacted and amended to read as follows:

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

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

24 **Sec. 4.** RCW 29A.52.231 and 2004 c 271 s 174 are each amended to  
25 read as follows:

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

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

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