
SENATE BILL 5079

State of Washington **59th Legislature** **2005 Regular Session**

By Senators Roach, Oke, Honeyford, Mulliken, Hewitt, Swecker, McCaslin and Benton

Read first time 01/12/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to a special runoff election for governor; creating
2 new sections; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The November 2, 2004, gubernatorial general election between
6 Dino Rossi and Christine Gregoire was the closest political race in the
7 history of Washington state;

8 (2) The election results between the two candidates, which differed
9 by less than one-hundredth of one percent, were certified on three
10 separate occasions, after an original tally of votes, a mandatory
11 machine recount, and a manual recount;

12 (3) Dino Rossi was twice certified as the governor-elect of
13 Washington, only to be defeated by Christine Gregoire in the manual
14 recount, an unprecedented event in the history of Washington;

15 (4) The election was marred by voting and counting problems that
16 were irreconcilable by both the counties and the secretary of state;

17 (5) As a result of those problems, the majority of the citizens of
18 Washington have lost confidence in the election process;

1 (6) As the elected representatives of the citizens of Washington,
2 it is important that the legislature take action pursuant to the
3 demands of the populous;

4 (7) The legislature must act to restore voter confidence in the
5 election system, resolve doubt in the eyes of the electorate, and
6 solidify the legitimacy of the next governor of Washington.

7 NEW SECTION. **Sec. 2.** Under Article III, section 4 of the
8 Constitution of the state of Washington, the legislature is vested with
9 the power to contest an election and it has the power to decide a
10 contested election. As such, for the reasons set forth in section 1 of
11 this act, the legislature hereby contests the November 2, 2004,
12 gubernatorial general election. By the power vested in the legislature
13 by the Constitution of the state of Washington, the legislature
14 declares the results of the gubernatorial election of November 2, 2004,
15 to be null and void. It directs that an entirely new, special runoff
16 election be conducted to decide the next governor of Washington. This
17 gubernatorial runoff election shall be held on the date of George
18 Washington's birthday, Tuesday, February 22, 2005.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately.

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