
HOUSE BILL 1074

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Anderson, McLean, R. Fisher, Moyer, Dorn, Chandler, Sheldon, Bowman, Pruitt, Winsley, Phillips, Kremen, Franklin, Basich, Fraser, Scott, Broback, Edmondson, Paris, D. Sommers, May, R. Johnson, Jones, Wynne, Rayburn, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner, Mitchell, Bray, Brekke and Spanel.

Read first time January 18, 1991. Referred to Committee on State Government.

1 AN ACT Relating to elections; amending RCW 29.21.150, 29.21.180,
2 and 29.30.085; amending 1990 c 59 s 112 (uncodified); adding a new
3 section to chapter 29.21 RCW; and providing an effective date.

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

5 **Sec. 1.** RCW 29.21.150 and 1975-'76 2nd ex.s. c 120 s 5 are each
6 amended to read as follows:

7 The name of the person who receives the greatest number of votes
8 and of the person who receives the next greatest number of votes at the
9 primary for a single nonpartisan position shall appear on the general
10 election ballot under the designation therefor(~~(:~~—PROVIDED, That in
11 elections for justices of the supreme court, judges of the court of
12 appeals and judges of the superior court, and for state superintendent
13 of public instruction, if any candidate in the primary receives a
14 majority of all the votes cast for the position, only the name of the
15 person receiving the highest vote shall be printed on the general

1 ~~election ballot under the designation for that position, followed by a~~
2 ~~space for the writing in of any other name by a voter.))~~

3 **Sec. 2.** RCW 29.21.180 and 1979 ex.s. c 183 s 8 are each amended to
4 read as follows:

5 No primary shall be held relating to the office of state
6 superintendent of public instruction or, except for any school district
7 of the first class having within its boundaries a city with a
8 population of four hundred thousand people or more in class AA
9 counties, officers of other first class school districts if, after the
10 last day allowed for candidates to withdraw, there are no more than two
11 candidates filed for each position to be filled. In such event all
12 candidates concerned shall be notified. Names of candidates that would
13 have been printed upon the primary ballot, but for the provisions of
14 this section, shall be printed upon the general election ballot in the
15 following order: For the superintendent of public instruction, in the
16 order determined by lot under RCW 29.18.022; and for school district
17 directors, alphabetically in groups under the designation of the
18 respective titles of the offices for which they are candidates.

19 **Sec. 3.** RCW 29.30.085 and 1990 c 59 s 95 are each amended to read
20 as follows:

21 (~~(1) Except as provided under subsection (2) of this section,~~) On
22 the ballot at the general election for a nonpartisan office for which
23 a primary was held, only the names of the candidate who received the
24 greatest number of votes and the candidate who received the next
25 greatest number of votes for that office shall appear under the title
26 of that office, and the names shall appear in that order. If a primary
27 was conducted, no candidate's name may be printed on the subsequent
28 general election ballot unless he or she receives at least one percent

1 of the total votes cast for that office at the preceding primary. On
2 the ballot at the general election for any ((~~other~~)) nonpartisan office
3 for which no primary was held, the names of the candidates shall be
4 listed in the order determined under RCW 29.30.025.

5 ~~((2) On the ballot at the general election for the office of
6 justice of the supreme court, judge of the court of appeals, judge of
7 the superior court, or state superintendent of public instruction, if
8 a candidate in a contested primary receives a majority of all the votes
9 cast for that office or position, only the name of that candidate may
10 be printed under the title of the office for that position.))~~

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 29.21 RCW
12 to read as follows:

13 A primary shall be held as provided in RCW 29.13.070 for each
14 elective judicial office except as follows:

15 (1) No primary may be held for any single judicial position if,
16 after the last day allowed for candidates to withdraw, there are no
17 more than two candidates filed for the position. The county auditor
18 shall, as soon as possible, notify all the candidates so affected that
19 the office for which they have filed will not appear on the primary
20 ballot. The names of such candidates shall be printed upon the general
21 election ballot in the order determined by lot under RCW 29.18.022
22 (before July 1, 1992) or RCW 29.30.025 (beginning July 1, 1992).

23 (2) No primary may be held for a superior court judge position in
24 a county containing a population of one hundred thousand or more if,
25 after the last day provided by law for the withdrawal of declarations
26 of candidacy has expired, only one candidate has filed for the
27 position. A certificate of election shall be issued to such a
28 candidate as required by Article IV, section 29 of the Washington state
29 Constitution.

1 **Sec. 5.** 1990 c 59 s 112 (uncodified) is amended to read as
2 follows:

3 The following acts or parts of acts are each repealed:

4 (1) Section 29.18.020, chapter 9, Laws of 1965, section 10, chapter
5 329, Laws of 1977 ex. sess. and RCW 29.18.020;

6 (2) Section 1, chapter 120, Laws of 1986, section 1, chapter 110,
7 Laws of 1987 and RCW 29.18.022;

8 (3) Section 29.18.030, chapter 9, Laws of 1965, section 1, chapter
9 103, Laws of 1965 ex. sess., section 3, chapter 142, Laws of 1984,
10 section 1, chapter 133, Laws of 1987 and RCW 29.18.030;

11 (4) Section 2, chapter 133, Laws of 1987 and RCW 29.18.031;

12 (5) Section 29.18.035, chapter 9, Laws of 1965 and RCW 29.18.035;

13 (6) Section 29.18.060, chapter 9, Laws of 1965 and RCW 29.18.060;

14 (7) Section 29.18.090, chapter 9, Laws of 1965 and RCW 29.18.090;

15 (8) Section 29.18.100, chapter 9, Laws of 1965 and RCW 29.18.100;

16 (9) Section 29.18.110, chapter 9, Laws of 1965, section 5, chapter
17 127, Laws of 1974 ex. sess., section 11, chapter 329, Laws of 1977 ex.
18 sess. and RCW 29.18.110;

19 (10) Section 29.21.017, chapter 9, Laws of 1965, section 5, chapter
20 213, Laws of 1981 and RCW 29.21.017;

21 (11) Section 29.21.020, chapter 9, Laws of 1965 and RCW 29.21.020;

22 (12) Section 29.21.040, chapter 9, Laws of 1965 and RCW 29.21.040;

23 (13) Section 29.21.060, chapter 9, Laws of 1965, section 2, chapter
24 103, Laws of 1965 ex. sess., section 56, chapter 283, Laws of 1969 ex.
25 sess., section 3, chapter 120, Laws of 1975-'76 2nd ex. sess., section
26 31, chapter 361, Laws of 1977 ex. sess., section 9, chapter 167, Laws
27 of 1986 and RCW 29.21.060;

28 (14) Section 3, chapter 110, Laws of 1987 and RCW 29.21.075;

29 (15) Section 29.21.080, chapter 9, Laws of 1965, section 87,
30 chapter 176, Laws of 1969 ex. sess. and RCW 29.21.080;

1 (16) Section 29.21.085, chapter 9, Laws of 1965, section 88,
2 chapter 176, Laws of 1969 ex. sess., section 44, chapter 3, Laws of
3 1983 and RCW 29.21.085;

4 (17) Section 29.21.090, chapter 9, Laws of 1965 and RCW 29.21.090;

5 (18) Section 29.21.110, chapter 9, Laws of 1965, section 1, chapter
6 19, Laws of 1970 ex. sess. and RCW 29.21.110;

7 (19) Section 29.21.120, chapter 9, Laws of 1965, section 194,
8 chapter 202, Laws of 1987 and RCW 29.21.120;

9 (20) Section 29.21.130, chapter 9, Laws of 1965 and RCW 29.21.130;

10 (21) Section 1, chapter 10, Laws of 1970 ex. sess., section 5,
11 chapter 120, Laws of 1975-'76 2nd ex. sess., section 1, chapter,
12 Laws of 1991 (section 1 of this act) and RCW 29.21.150;

13 (22) Section 29.21.160, chapter 9, Laws of 1965, section 6, chapter
14 120, Laws of 1975-'76 2nd ex. sess. and RCW 29.21.160;

15 (23) Section 2, chapter 10, Laws of 1970 ex. sess., section 7,
16 chapter 21, Laws of 1973 2nd ex. sess., section 8, chapter 183, Laws of
17 1979 ex. sess., section 2, chapter, Laws of 1991 (section 2 of
18 this act) and RCW 29.21.180;

19 (24) Section 29.21.190, chapter 9, Laws of 1965 and RCW 29.21.190;

20 (25) Section 29.21.200, chapter 9, Laws of 1965 and RCW 29.21.200;

21 (26) Section 29.21.210, chapter 9, Laws of 1965, section 2, chapter
22 131, Laws of 1969, section 8, chapter 21, Laws of 1973 2nd ex. sess.,
23 section 9, chapter 183, Laws of 1979 ex. sess. and RCW 29.21.210;

24 (27) Section 29.21.220, chapter 7, Laws of 1965 and RCW 29.21.220;

25 (28) Section 1, chapter 130, Laws of 1967 ex. sess, section 32,
26 chapter 361, Laws of 1977 ex. sess. and RCW 29.21.330;

27 (29) Section 29.27.010, chapter 9, Laws of 1965, section 45,
28 chapter 3, Laws of 1983 and RCW 29.27.010;

29 (30) Section 29.27.040, chapter 9, Laws of 1965 and RCW 29.27.040;

30 (31) Section 29.27.045, chapter 9, Laws of 1965 and RCW 29.27.045;

1 (32) Section 29.30.030, chapter 9, Laws of 1965, section 53,
2 chapter 361, Laws of 1977 ex. sess. and RCW 29.30.030;

3 (33) Section 57, chapter 361, Laws of 1977 ex. sess. and RCW
4 29.30.061;

5 (34) Section 61, chapter 361, Laws of 1977 ex. sess., section 2,
6 chapter 121, Laws of 1982 and RCW 29.30.091;

7 (35) Section 33, chapter 361, Laws of 1977 ex. sess., section 12,
8 chapter 167, Laws of 1986 and RCW 29.30.310;

9 (36) Section 34, chapter 361, Laws of 1977 ex. sess. and RCW
10 29.30.320;

11 (37) Section 35, chapter 361, Laws of 1977 ex. sess. and RCW
12 29.30.330;

13 (38) Section 36, chapter 361, Laws of 1977 ex. sess. and RCW
14 29.30.340;

15 (39) Section 37, chapter 361, Laws of 1977 ex. sess., section 4,
16 chapter 120, Laws of 1986, section 5, chapter 295, Laws of 1987 and RCW
17 29.30.350;

18 (40) Section 39, chapter 361, Laws of 1977 ex. sess. and RCW
19 29.30.370;

20 (41) Section 40, chapter 361, Laws of 1977 ex. sess. and RCW
21 29.30.380;

22 (42) Section 41, chapter 361, Laws of 1977 ex. sess. and RCW
23 29.30.390;

24 (43) Section 42, chapter 361, Laws of 1977 ex. sess. and RCW
25 29.30.410;

26 (44) Section 43, chapter 361, Laws of 1977 ex. sess. and RCW
27 29.30.420;

28 (45) Section 44, chapter 361, Laws of 1977 ex. sess. and RCW
29 29.30.430;

1 (46) Section 45, chapter 361, Laws of 1977 ex. sess. and RCW
2 29.30.440;

3 (47) Section 46, chapter 361, Laws of 1977 ex. sess., section 5,
4 chapter 120, Laws of 1986, section 6, chapter 295, Laws of 1987 and RCW
5 29.30.450;

6 (48) Section 47, chapter 361, Laws of 1977 ex. sess. and RCW
7 29.30.460;

8 (49) Section 49, chapter 361, Laws of 1977 ex. sess., section 3,
9 chapter 121, Laws of 1982 and RCW 29.30.480;

10 (50) Section 50, chapter 361, Laws of 1977 ex. sess. and RCW
11 29.30.490;

12 (51) Section 29.33.010, chapter 9, Laws of 1965 and RCW 29.33.010;

13 (52) Section 29.33.015, chapter 9, Laws of 1965 and RCW 29.33.015;

14 (53) Section 29.33.090, chapter 9, Laws of 1965, section 5, chapter
15 40, Laws of 1982 and RCW 29.33.090;

16 (54) Section 29.33.110, chapter 9, Laws of 1965, section 21,
17 chapter 109, Laws of 1967 ex. sess. and RCW 29.33.110;

18 (55) Section 29.33.120, chapter 9, Laws of 1965, section 22,
19 chapter 109, Laws of 1967 ex. sess. and RCW 29.33.120;

20 (56) Section 29.33.140, chapter 9, Laws of 1965 and RCW 29.33.140;

21 (57) Section 29.33.150, chapter 9, Laws of 1965 and RCW 29.33.150;

22 (58) Section 29.33.160, chapter 9, Laws of 1965 and RCW 29.33.160;

23 (59) Section 29.33.170, chapter 9, Laws of 1965 and RCW 29.33.170;

24 (60) Section 29.33.180, chapter 9, Laws of 1965, section 62,
25 chapter 361, Laws of 1977 ex. sess., section 7, chapter 295, Laws of
26 1987 and RCW 29.33.180;

27 (61) Section 29.33.190, chapter 9, Laws of 1965 and RCW 29.33.190;

28 (62) Section 29.33.200, chapter 9, Laws of 1965 and RCW 29.33.200;

29 (63) Section 29.33.210, chapter 9, Laws of 1965, section 63,
30 chapter 361, Laws of 1977 ex. sess. and RCW 29.33.210;

1 (64) Section 29.33.220, chapter 9, Laws of 1965, section 1, chapter
2 124, Laws of 1971 ex. sess., section 1, chapter 102, Laws of 1973,
3 section 4, chapter 46, Laws of 1975-'76 2nd ex. sess., section 64,
4 chapter 361, Laws of 1977 ex. sess. and RCW 29.33.220;

5 (65) Section 11, chapter 109, Laws of 1967 ex. sess., section 65,
6 chapter 361, Laws of 1977 ex. sess. and RCW 29.34.010;

7 (66) Section 67, chapter 361, Laws of 1977 ex. sess., section 13,
8 chapter 167, Laws of 1986 and RCW 29.34.125;

9 (67) Section 23, chapter 109, Laws of 1967 ex. sess., section 68,
10 chapter 361, Laws of 1977 ex. sess. and RCW 29.34.130;

11 (68) Section 24, chapter 109, Laws of 1967 ex. sess. and RCW
12 29.34.140;

13 (69) Section 70, chapter 361, Laws of 1977 ex. sess. and RCW
14 29.34.145;

15 (70) Section 2, chapter 130, Laws of 1967 ex. sess., section 2,
16 chapter 6, Laws of 1971 ex. sess. and RCW 29.34.180;

17 (71) Section 29.51.080, chapter 9, Laws of 1965 and RCW 29.51.080;

18 (72) Section 29.51.110, chapter 9, Laws of 1965, section 43,
19 chapter 202, Laws of 1971 ex. sess., section 15, chapter 167, Laws of
20 1986 and RCW 29.51.110;

21 (73) Section 29.51.120, chapter 9, Laws of 1965 and RCW 29.51.120;

22 (74) Section 29.51.130, chapter 9, Laws of 1965 and RCW 29.51.130;

23 (75) Section 29.51.160, chapter 9, Laws of 1965 and RCW 29.51.160;

24 (76) Section 29.51.220, chapter 9, Laws of 1965 and RCW 29.51.220;

25 (77) Section 29.51.260, chapter 9, Laws of 1965 and RCW 29.51.260;

26 (78) Section 29.54.020, chapter 9, Laws of 1965, section 7, chapter
27 101, Laws of 1965 ex. sess. and RCW 29.54.020;

28 (79) Section 29.54.030, chapter 9, Laws of 1965, section 8, chapter
29 101, Laws of 1965 ex. sess. and RCW 29.54.030;

1 (80) Section 29.54.040, chapter 9, Laws of 1965, section 9, chapter
2 101, Laws of 1965 ex. sess., section 86, chapter 361, Laws of 1977 ex.
3 sess. and RCW 29.54.040;

4 (81) Section 12, chapter 101, Laws of 1965 ex. sess., section 2,
5 chapter 109, Laws of 1967 ex. sess. and RCW 29.54.043;

6 (82) Section 29.54.045, chapter 9, Laws of 1965, section 10,
7 chapter 101, Laws of 1965 ex. sess., section 4, chapter 102, Laws of
8 1973, section 87, chapter 361, Laws of 1977 ex. sess. and RCW
9 29.54.045;

10 (83) Section 29.54.070, chapter 9, Laws of 1965, section 10,
11 chapter 109, Laws of 1967 ex. sess., section 90, chapter 361, Laws of
12 1977 ex. sess. and RCW 29.54.070;

13 (84) Section 29.54.080, chapter 9, Laws of 1965, section 91,
14 chapter 361, Laws of 1977 ex. sess. and RCW 29.54.080;

15 (85) Section 29.54.090, chapter 9, Laws of 1965 and RCW 29.54.090;

16 (86) Section 29.54.100, chapter 9, Laws of 1965 and RCW 29.54.100;

17 (87) Section 29.54.110, chapter 9, Laws of 1965 and RCW 29.54.110;

18 (88) Section 29.54.120, chapter 9, Laws of 1965 and RCW 29.54.120;

19 (89) Section 29.54.130, chapter 9, Laws of 1965, section 92,
20 chapter 361, Laws of 1977 ex. sess. and RCW 29.54.130; and

21 (90) Section 29.54.140, chapter 9, Laws of 1965, section 93,
22 chapter 361, Laws of 1977 ex. sess. and RCW 29.54.140.

23 NEW SECTION. **Sec. 6.** Section 3 of this act shall take effect
24 July 1, 1992.