

# SENATE BILL REPORT

## SJR 8210

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As Reported By Senate Committee On:  
Government Operations & Elections, February 4, 2003

**Brief Description:** Guaranteeing blanket primaries in the Constitution.

**Sponsors:** Senators Schmidt, Roach and Carlson.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 2/4/03 [DP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Stevens, Vice Chair; Fairley, Horn and McCaslin.

**Staff:** Mac Nicholson (786-7445)

**Background:** Washington is the only state in the union currently using a blanket primary, where each properly registered voter can vote his or her choice for any candidate for each office, regardless of political affiliation, and without a declaration of political faith or adherence on the part of the voter.

In *California Democratic Party v. Jones*, 530 U.S. 567 (2000), the United States Supreme Court struck down California's blanket primary system as an unconstitutional burden on the freedom of association. As a result of that case, the Democratic, Republican, and Libertarian parties of Washington brought a similar suit in federal district court seeking a declaration that Washington's blanket primary is unconstitutional. *Washington State Democratic Party v. Reed*. The federal district court upheld the constitutionality of the state's blanket primary, and the parties appealed the decision to the Ninth Circuit Court of Appeals. Argument on the case is scheduled for February 6, 2003.

**Summary of Bill:** Article VI of the Washington State Constitution is amended to include a provision requiring all primary elections, except for the presidential primary, to be blanket primaries.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Amending the state Constitution is evidence that the citizens of the state prefer the blanket primary. Citizens of the state value their privacy and do not want their political affiliation, if any, to become a matter of public record.

**Testimony Against:** None.

**Testified:** PRO: Cherie Davidson, League of Women Voters of WA; Toni McKinley, WA State Grange; Elden Rodger.