
**State Government & Tribal
Affairs Committee**

HJR 4214

Brief Description: Amending the Constitution to require election of judges at the general election.

Sponsors: Representatives Hinkle, Campbell, McCune and Hudgins.

Brief Summary of Bill

- Amends the State Constitution to remove the requirement that general elections will not occur if only one candidate for superior court judge is entitled to appear on the general election ballot after a contested primary.

Hearing Date: 2/20/07

Staff: Marsha Reilly (786-7135).

Background:

Article IV, section 29 of Washington's Constitution governs elections of superior court judges. First, in counties with a population of 100,000 or more, if a candidate for superior court judge is the only candidate for the position after the last day for candidates to withdraw, then he or she receives a certificate of election. No primary or general election is held in those circumstances. Second, in any county, if after a contested primary for a superior court position only one candidate is entitled to have his or her name appear on the general election ballot, then a general election is not held for that position, and that candidate receives a certificate of election. In such a case a general election must be held, however, if the county auditor receives notice that a write-in candidacy will take place and a petition to that effect is filed. The elections statutes provide that a candidate for superior court judge is entitled to have only his or her name appear on the general election ballot if that candidate receives a majority of votes cast for that position.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Washington Constitution's provisions regarding election of superior court judges are amended. The provision is removed that authorized an issuance of certificate of election to a superior court candidate who was entitled to have only his or her name appear on the ballot after a contested primary. The provisions regarding filing a petition for a write-in candidacy are also removed. The bill does not change the constitutional provision that allows a certificate of election to be issued to a candidate for superior court judge who is the only candidate for the position after the last day for candidates to withdraw in counties with a population of 100,000 or more.

Appropriation: None.

Fiscal Note: Not requested.