

SUBSTITUTE

SENATE JOINT RESOLUTION 6

Proposed Constitutional Amendment

Official Ballot Title:*

ELECTION OF SUPERIOR COURT JUDGES

Shall Article IV of the state constitution be amended to provide that where only one candidate has filed for a superior court judge position in a county of 100,000 or more inhabitants, or where after a contested primary in any county only one such candidate is entitled to appear on the general election ballot, certification of election shall issue to such candidate without a further election, unless a write-in campaign is to be conducted?

Vote cast by members of the 1965 Legislature on final passage:
SENATE: (49 members) Yeas, 43; Nays, 1; Absent or not voting, 5.
HOUSE: (99 members) Yeas, 91; Nays, 4; Absent or not voting, 4.

*Ballot Title as issued by the Attorney General.

Statement **FOR**

Simplify and reduce election costs by eliminating the names of unopposed Superior Court judges from the General Election ballot.

This proposed constitutional amendment is patterned after a California amendment approved by their voters in 1962.

76 Superior Court positions were voted upon in the Primary and General Elections in 1964. 66 candidates were unopposed in both the Primary and the General elections. Since this proposal will affect only the largest counties in the state—King, Pierce, Spokane, Snohomish and Yakima, 38 of these positions would have been removed from the ballot had this proposal been in effect. The taxpayers would have saved a minimum of Seventy-five Thousand (\$75,000.00) Dollars in each election as a result.

In King County alone, 19 of the 21 Superior Court positions had only one candidate in both the Primary and General elections in 1964. Almost half of the capacity of the voting machines in that county was devoted to the pointless task of presenting to the voters a long list of non-partisan judicial candidates who had no opposition.

The elimination of their names from the ballot would concentrate the attention of

the voters on contested races and give each voter more time to make his choices in those races.

Adequate safeguard for a write-in campaign is provided for by inclusion of petition notice signed by one hundred registered voters. This would require such an unopposed Superior Court position to appear on the ballot.

Removing the names of these unopposed candidates for a non-partisan judicial office from an already crowded partisan ballot will save the taxpayers money and permit the voters more meaningful consideration of the serious races and questions on the ballot.

Committee appointed to compose statement FOR Substitute Senate Joint Resolution No. 6:

JOHN T. McCUTCHEON, State Senator; WES C. UHLMAN, State Representative; SLADE GORTON, State Representative.

Advisory Committee: LLOYD L. WIEHL, Judge, Superior Court, Yakima County; RALPH ARMSTRONG, Judge, Superior Court, Cowlitz County; GEORGE R. STUNTZ, Judge, Superior Court, King County; WILLIAM H. WILLIAMS, Judge, Superior Court, Spokane County; EDWARD J. LOGAN, Supt. of Elections, King County.

*Explanatory comment issued by the
Attorney General as required by law*

The Law as it now exists:

The state constitution now requires that superior court judges be elected at the November state general election, when other state officers are elected. This is true even where only one candidate has filed for a superior court position, or where after a contested September primary election, held pursuant to statute, only one such candidate is entitled to appear on the November general election ballot because he has received a majority of the votes cast at the primary election for the particular judicial position.

**Effect of Sub. Senate Joint Resolution
No. 6 if approved into Law:**

The proposed constitutional amendment would provide that (1) where only one candidate has filed for a superior court judge position in a county of 100,000 or more inhabitants, or (2) where after a

contested primary in any county only one such candidate is entitled to appear on the general election ballot, certification of election shall issue to such candidate without a further election, unless a petition is filed within ten days after the date of the primary indicating that a write-in campaign is to be conducted.

Note: Complete text of Sub. Senate Joint Resolution No. 6 appears on Page 40.

Statement **AGAINST**

This proposed constitutional amendment was approved by an overwhelming majority of the members of the 1965 Legislature in its Extraordinary Session. Further, no member of the Legislature could be enlisted to write a statement against the proposal for publication in this pamphlet.

A. LUDLOW KRAMER, *Secretary of State*

line of first class shorelands, the outer limits or line of extreme low tide of second class shorelands, or the main thread of the river or stream.

(2) Street descriptions follow the center line of the named or numbered streets, and a straight line extension thereof where such named or numbered streets have not been cut through, except where the context expressly indicates otherwise.

(3) Street descriptions are as numbered or named, and as delineated, on the records of the county assessor and in conformity with a numbering scheme as set forth by the county engineer, except where the context expressly indicates otherwise.

(4) Municipal and district boundaries are those boundaries of political subdivisions of this state as they existed on January 1, 1965.

NEW SECTION. Sec. 8. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

(1) Any area not specifically included within the boundaries of any of the districts as described in this act, and which is completely surrounded by a particular district, shall be a part of that district. Any such area not completely surrounded by a particular district shall be a part of the district having the smallest number of inhabitants and having territory contiguous to such area in the same county in which the area is located.

(2) Any area described in this act as specifically embraced in two or more noninclusive districts shall be a part of the adjoining district having the smallest number of inhabitants and shall not be a part of the other district or districts.

(3) Any area specifically mentioned as embraced within a district but separated from such district by one or more other districts, shall be assigned as though it had not been included in any district specifically described.

(4) The 1960 United States census shall be used for determining the number of inhabitants under the provisions of this act.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) Section 29.68.005, chapter 9, Laws of 1965 and RCW 29.68.005;

(2) Section 29.68.007, chapter 9, Laws of 1965 and RCW 29.68.007;

(3) Section 29.68.011, chapter 9, Laws of 1965 and RCW 29.68.011;

(4) Section 29.68.021, chapter 9, Laws of 1965 and RCW 29.68.021;

(5) Section 29.68.030, chapter 9, Laws of 1965 and RCW 29.68.030;

(6) Section 29.68.040, chapter 9, Laws of 1965 and RCW 29.68.040;

(7) Section 29.68.062, chapter 9, Laws of 1965 and RCW 29.68.062; and

(8) Section 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.066.

NEW SECTION. Sec. 10. This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1966 in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

Passed the House May 5, 1965.

Passed the Senate May 6, 1965.

Received directly from the office of Chief Clerk, House of Representatives and filed May 7, 1965 in the office of the Secretary of State.

A. LUDLOW KRAMER, Secretary of State.

COMPLETE TEXT OF

**Proposed
Constitutional Amendment**

**Sub. SENATE JOINT 6
RESOLUTION**

Ballot Title as issued by the Attorney General:

ELECTION OF SUPERIOR COURT JUDGES

Shall Article IV of the state constitution be amended to provide that where only one candidate has filed for a superior court judge position in a county of 100,000 or more inhabitants, or where after a contested primary in any county only one such candidate is entitled to appear on the general election ballot, certification of election shall issue to such candidate without a further election, unless a write-in campaign is to be conducted?

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington, in Legislative Session Assembled:*

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article IV of the Constitution of the State of Washington by adding thereto a new section to be known as Article IV, section 29, to read as follows:

NEW SECTION: Article IV, section 29. Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary or election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: *Provided*, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section, and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature.

BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

Passed the Senate March 24, 1965. Passed the House March 23, 1965.
JOHN A. CHERBERG, Robert M. Schaefer,
President of the Senate. Speaker of the House.

EXPLANATORY COMMENT S.J.R. NO. 6:
All words underscored do not appear in the Constitution as it is now written but will be put in if this amendment is adopted.

A. LUDLOW KRAMER, Secretary of State.