

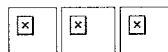
John White

From: Nieland, Libby [lnieland@secstate.wa.gov]
Sent: Thursday, September 21, 2006 11:59 AM
To: Handy, Nick
Subject: RE: Good AP Story--Unfortunate Headline

The comments at the end of the story are very illuminating.

Libby Nieland
Certification and Training
Elections Division
Office of the Secretary of State
520 Union Ave. SE
Olympia, 98504-0229
360-725-5770

From: Handy, Nick
Sent: Thursday, September 21, 2006 11:01 AM
To: Armstrong, Nancy; Aust, Erika; Berger, Carolyn; Blinn, Katie; Brazier, Marilyn; Landers, Brenda; Buckles, Tracy; Cervantes, Amber; Clarke, Tina; Davis, Tami; Duncan, Samantha; Floyd, Pam; Gayton, Sherry; Guerrero, Lori; Hamlin, Shane; Handy, Nick; Kasselmann, Russell; King, Barbara; Martin, Bob; Miller, Paul; Moss, Sheryl; Murphy, Patty; Newton, Randy; Nieland, Libby; Ramsay, Kay; Sullivan, Karla; Neilson, Tami
Subject: Good AP Story--Unfortunate Headline



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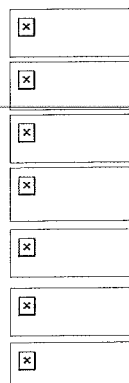
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Tens of thousands of ballots junked

By Associated Press
Sep 20, 2006 - 11:10:07 pm PDT

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OLYMPIA -- Tens of thousands of ballots cast in Tuesday's primary election may not have been counted in the state's partisan races because voters failed to indicate if they wanted to vote as a Democrat or Republican as required by law, Secretary of State Sam Reed said Wednesday.

If voters failed to pick a party, voted in partisan races and also voted for the nonpartisan judicial races, only the judicial votes would have been counted, Reed said Wednesday.

"We really can't have this happen again," Reed said. "We're fortunate most of the partisan races around the state had a good margin, but a few are neck-and-neck" and the lost ballots could have made a difference.

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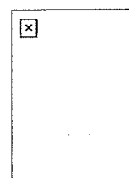
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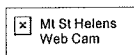
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In Cowlitz County, voters were offered three ballots --- Democrat, Republican or Independent --- and were instructed to submit only one. Still, almost one in six county citizens who tried to vote in Tuesday's primary election may have done so incorrectly, election officials said.

Elections workers had counted 7,528 valid ballots by Tuesday night with about another 5,800 yet to be counted. Of those already counted, 1,000 ballots have been referred to a canvassing board because voters sent in more than one ballot.

In August, a three-judge panel of the 9th U.S. Circuit Court of Appeals refused to reinstate Washington's "top two" primary system -- where voters pick their favorite candidates for each office, regardless of party.

Reed said that even though voters already had to vote by party in the 2004 election, many are still angry about it. While there was widespread advertising before the 2004 election to educate voters, this year there was not, though there were clear directions mailed with every ballot. "My impression is that most of them were not following instructions, but there were clearly people who were doing this as a matter of protest," he said.

On the Web

Legislature:
<http://www.leg.wa.gov>
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Last week, several counties warned they were receiving ballots where voters did not pick a party. Reed said the invalidation rate dropped somewhat after that was reported, but he still estimates about 8 percent of the approximately 1 million ballots -- about a third of which have not been tabulated -- will be rejected for the partisan races.

Reed said counties that sent separate ballots for each party had a lower error rate than those that had a ballot with both parties on one sheet of paper.

He said even the votes of people who clearly voted along partisan lines, but failed to take the extra step to indicate which party they were voting for, were invalidated.

Reed said he will ask the Legislature next year to change the law so that if voters forget to pick a party, but still vote on party lines, their vote will count.

"I don't want to disqualify people's votes simply because they haven't done something that's repetitious," he said.

Rep. Kathy Halgh, D-Shelton, chair of the House State Government, Operations & Accountability Committee, said lawmakers will examine the issue.

"Anytime someone's vote doesn't get counted it's a big concern," she said. "I don't know what kind of fix needs to be put in place, but it needs to be looked at." The top two primary was ruled unconstitutional last summer, before it was ever used, by U.S. District Judge Thomas Zilly. The Washington state Grange and the state attorney general's office unsuccessfully asked the appeals judges to overturn that decision.

Voters approved the top two primary as Initiative 872 in 2004, a year after the state's nearly 70-year-old "blanket primary" was struck down. Like the blanket primary, the top two system allowed voters to pick their favorite candidates for each office, regardless of party. But instead of the top Republican, Democratic and third-party candidates advancing, the top two vote-getters advance -- even if they're both Republicans or both Democrats -- something the state political parties opposed.

The U.S. Supreme Court has suggested that the only way to have a primary in which voters can pick any candidate, regardless of party, is to make all offices nonpartisan.

The Grange has said it would ask the Legislature or the voters through initiative to do that.

"You have people that are out there voting and the Legislature and the parties have let them down," said Toni McKinley, the Grange's legislative director. "These are people who want to vote. You just lost 100,000 votes."

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Got question for local professionals? Check out this forum for finding useful information about a variety of topics written by professionals in the Cowlitz County area.

by the Daily News

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and free.

Hello? wrote on September 21, 2006 3:26 AM:"I did not
fall to designate myself as having a party affiliation.
I just refuse to do such a thing. I find it to be
incredibly stupid to put a label on myself. My party
affiliation, if I choose to have one, is my business. I
CAN and WILL vote as I see fit. No politician, judge,
lawyer or other type of crook is going to dictate to
me how I vote on ANY piece of paper in a primary
or otherwise. Period. Welcome to AMERICA! Land of
the FREE!! Some people just become so important
to themselves that they forget where and who they
are."

listening wrote on September 21, 2006 5:00 AM:"I'm
amazed, i didn't realize there was voting in a
communist country."

Smithy wrote on September 21, 2006 7:11 AM:"The
ballot was not that hard to figure out. You chose
one party, you filled in the bubbles, and then
mailed/or turned it in. I don't know why people
found that difficult to do. It was straight-forward.
Unfortunately, many citizens are now making this
bigger than it is or needs to be. Come on people,
let's stop causing ruckuses over simple hiccups.
There are bigger issues in our county, our country,
that need our focus, and this ballot is not one of
them."

Mit wrote on September 21, 2006 8:01 AM:"Wow what
a great way to change the outcome of an election to
your desired results. After all, I would expect a
republican to most proudly affiliate themselves on
a ballot. I'm neither Democrat or Republican, guess
it's pointless for me to ever vote again!!!!!"

Ruthy wrote on September 21, 2006 8:41 AM:"I myself
refuse to be categorized in only one party. I should
have free choice as to who I want to vote for
regardless of party!! I vote for the candidate, well I
used to be able to vote for the candidate of choice
but that choice has been taken away. It may not be
a big deal to some people but to me our right to
vote as we like has been taken away and THIS IS
WRONG!!!!"

brian wrote on September 21, 2006 9:01 AM:"here is
another example of the us having an democracy
that doesnt work, certainly not something i would go
to war trying to spread, but then agin , the us isnt
trying to spread democracy are they?"

brian wrote on September 21, 2006 9:04 AM:"i have
never known a case of the hiccups to kill anyone, i
wish i could say the same thing for americanism."

brian wrote on September 21, 2006 9:05 AM:"i have
never known a case of the hiccups to kill anyone, i
wish i could say the same for americansim"

The first step wrote on September 21, 2006 9:28 AM:"I
guess the old system wasn't good enough. It lasted
for 70 years, now it's been made worse, soon it
won't matter because we won't get to vote period!
The politician will simply just buy the position they
want to fill. Who give me \$20.000? \$25.000?
\$25.000 going once, twice, sold to the man/woman
in the Pinstripe suit with the limo waiting to take
him to Olympia. Do you actually trust any
politician? Term Limits is the only way to stop the
ongoing incompetence/corruption in the gov. "


done wrote on September 21, 2006 9:40 AM:"put
everyone out there on one ballot and then I will
pick WHO I want for each particular race. They
should not be allowed to decide for me and insist
that I vote only one party. until that comes back
I'm done."

Wasted time & money! wrote on September 21,
2006 9:50 AM:"Like I said before, if the state would
quit wasting our money and just have one ballet
with everything on it then they would have
everyone voting. I would like to know how much
money they wasted printing up all of those ballots."

Tip: always use a nickname! That way, nobody can impersonate
you.

Name: _____

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John White

From: Blinn, Katie [kblinn@secstate.wa.gov]
Sent: Monday, March 17, 2008 12:02 PM
To: Nancy Krier; Lori Anderson
Subject: Declarations of Candidacy
Attachments: Decl of Cand Instructions & Form.doc; Decl of Cand Instructions & Form.pdf; PCO Declaration of Candidacy.doc; PCO Declaration of Candidacy.pdf

I am going to be e-filing the two declarations of candidacy this afternoon. I am just waiting for our Assistant Secretary of State to return from a St. Patrick's Day lunch at the State Library.

The instructions for the Declaration of Candidacy do not get filed in the WACs – only the form itself. So I have a .pdf that is the form only in case you want it.

I tinkered with the versions that Libby sent last week. I have attached Word and Adobe versions.

I will let you know once the filing is complete. Thanks!

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
kblinn@secstate.wa.gov
(360) 902-4168

John White

From: Blinn, Katie [kblinn@secstate.wa.gov]
Sent: Wednesday, April 16, 2008 10:48 AM
To: John White
Subject: FW: Draft Rules on Top Two Primary
Attachments: Summary 4-16-08.pdf; Top Two draft rules 4-16-08.pdf; Draft Declaration of Candidacy.pdf; PCO Declaration of Candidacy.pdf

From: Blinn, Katie
Sent: Wednesday, April 16, 2008 10:41 AM
To: Allen Hayward; Barbara Seitle; Benjamin Lawver; Christine Mrak; Cindy Calderon (calderon.cindy@leg.wa.gov); Colleen Kerr; David Anderson; David Jamieson; David Lord; David T. McDonald; Deb Eddy; Debra Gurtler; Dwight Pelz; Evelyn Spenser; Even, Jeff; Evergreen Freedom Foundation; Heather Lewis-Lechner; James Johann; Jami Lund (Lund.Jami@leg.wa.gov); Jason Osgood; Jennifer Shaw; John J. White Jr.; Keith Buchholz; Kelly Haughton; Larry Helm; Linda Herod; M. Slater; Marian Beddill; Marsha Reilly; Michelle Stender; Permanent Offense; Rachael Meyers; Rebecca Engrav; Richard Shepard; Ryan McBryer; Sally Andrews; Scott Dahlman; Sharon Swanson (Swanson.Sharon@leg.wa.gov); Tim Borders; Tim Eyman; Tim White; Tracey Taylor; Washington State Republican Party; Don Whiting (whitingdon@comcast.net); Fraser, Kristen; Kate Riley (kriley@seattletimes.com); Marnie Hart (MarnieH@ATG.WA.GOV); Pharris, James; Sharon Gilpin (sharon@soundds1.com); Steve Jones (jones.steve@leg.wa.gov); Tom Ahearne (ahearne@foster.com)
Cc: Deutsch, Joanie; Heffernan, Trova
Subject: Draft Rules on Top Two Primary

The Office of the Secretary of State is circulating a draft of the administrative rules to implement I-872, the Top Two Primary. Attached, please find:

1. A Summary of the Draft Rules
2. The Draft Rules
3. The Declaration of Candidacy for Public Office
4. The Declaration of Candidacy for PCO

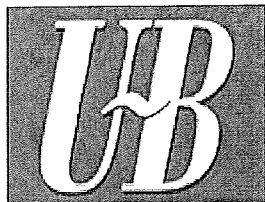
You can also find these documents posted on our website at: <http://www.secstate.wa.gov/elections/rulemaking.aspx>

Comments on the draft rules may be submitted by email to kblinn@secstate.wa.gov by close of business on Tuesday, April 22, 2008.

These rules do not address the election of Precinct Committee Officer because that position is not subject to I-872.

Thank you and have a good day.

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
kblinn@secstate.wa.gov
(360) 902-4168



UPDATE - Sheryl Cox files for county commission

She and Perry Dozier both are running for the seat of Dave Carey, who is stepping down.

Updated: Thursday, May 8, 2008 10:44 AM PDT

By **ANDY PORTER** of the Walla Walla Union-Bulletin

WALLA WALLA - The race for the Walla Walla County commission District 2 seat has gained another candidate.

County resident Sheryl Cox has announced she will be running for the post now held by Commissioner Dave Carey, who is stepping down at the end of this year.

Cox is now the second person in the race. Waitsburg resident Perry Dozier announced his candidacy in March. Both are running as Republicans.

This will be Cox's second try for public office. She previously ran in the 2006 Republican primary for the District 16 state representative seat held by Bill Grant.

According to her biography, Cox is a native of Walla Walla county. A graduate of DeSales High School, she later earned degrees in political science and animal science from Washington State University and a master of arts degree in teaching from the University of Idaho.

She and her husband, Kenneth Cox, own and operate Klicker Mountain Cattle Company as well as Top of the Mountain, a small farm and ranch recreation business.

Cox was appointed in December by Gov. Chris Gregoire to the state Farmland Preservation Task Force and is also serving on the county Tax and Lodging Committee. She has been a director of the Southeastern Washington fair board for nine years as well as the Walla Walla Catholic School Board and Catholic school board finance committee.

The District 2 commission seat will be one of two positions on the three-member board up for election this year. The District 1 seat now held by Gregg Loney will also be on the ballot. Loney has announced he will be seeking re-election.

The official filing week for candidates will begin June 2 and the primary election is set for Aug. 19. The top two candidates from the primary will then advance to the Nov. 4 general election.

Andy Porter can be reached at andyporter@wwub.com or 525-3300, ext. 282.

By **ANDY PORTER**

of the Walla Walla Union-Bulletin

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Thursday, May 8, 2008 - Page updated at 12:00 AM

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Let's hear it for the party animals

Eighteen months before the 2009 King County Council and executive elections, the county's political machinery, which has been idling quietly, is beginning to whirl.

- King County Executive Ron Sims announced a June 17 fundraiser in pursuit of a fourth term. Nothing too shocking, except Sims had not been raising much money for 2009. Now he is holding an already packed event that signals to potential challengers he will come on strong.
- King County Councilmember Larry Phillips, who has been itching to run for executive for eons, said 10 weeks ago he would not run against Sims. Now he is doing a turnaround. He all but announced a run. "It's a more open question," he said, explaining unhappiness with Sims over troubles at the county animal shelter and the ebb — more than flow — of the county budget.
- Phillips swears his change of heart is not affected by two changes coming to county elections, most notably an initiative backed by 80,000 signatures that will turn future county elections, except for prosecutor, into nonpartisan events. A U.S. Supreme Court ruling also means Washington will use a top-two primary system, making it possible for two Democrats to advance to the general election in Democratic King County.

County Councilmember Bob Ferguson, another Democrat, said two months ago he would not challenge Sims and said again this week that remains his plan.

At first blush, the proposal to make the council and executive positions nonpartisan sounds like a boring civics lesson, but it represents real change.

This is not the first time the idea of nonpartisanship has surfaced in the county. In the early 1990s, as the County Council and Metro merged, a plan to make the new council nonpartisan failed by one council vote. The idea was to better reflect suburban and urban city councils, where candidates run nonpartisan in elections that cover meat-and-potato matters of sewers, police and transportation.

The current initiative campaign is heavily backed by Republican businessman John Stanton, who has been mentioned as a possible candidate for governor. I asked Stanton if he wants to run for executive. He said no to that and to the idea he is doing this to promote a specific Republican candidate who would fare better without an R beside his or her name.

The citizens' initiative campaign is championed by Councilmember Pete von Reichbauer, a Republican from Federal Way, who favored a switch to a nonpartisan county sheriff several years ago.

Interestingly, before Stanton wrote his first supporting check, he thought the initiative would make the county prosecutor's office nonpartisan, which it clearly should be; but the initiative does not cover that.

The proposal for nonpartisan county elections needs 52,000 valid signatures. A betting person would say it will have enough signatures, gain preliminary voter approval in August and sail through in November. If sold as a referendum on whether our country and county are too partisan, it's a slam dunk.

Nonpartisan elections, understandably, are often proposed by the out-party as a way to gain power. Former County Councilmember Dwight Pelz, now chairman of the state Democratic Party, proposed a similar change years ago when Republicans were in control.

The best argument for this idea is that you get rid of distracting partisan rancor.

The current system produces calcification. Council members hang around for decades. As one insider put it, you run for election in November, take office in January, hold your first fundraiser in February. Then, too often, incumbents get a pass.

The most compelling argument for partisan elections is the information the party label provides.

"I don't buy that government improves and becomes neat and tidy if you take away the party label," says Luke Esser, chairman of the State Republican Party. "You are just masking information."

County councils and executive positions are training grounds for future governors and other statewide elected officials. Political parties need a place beyond the Legislature to groom candidates. Gary Locke was in the Legislature and served as King County executive before becoming governor. Former Pierce County Executive Booth Gardner served as governor in the 1980s and early 1990s.

For Republicans, the star example is Rob McKenna, who advanced from the County Council to state attorney general. McKenna is the top Republican in elective office in our state.

The nonpartisan measure is likely to pass. But it stands in front of us as an important good-government question. In the end, information provided to voters by labels such as D or R (or G for Green, L for Libertarian) helps voters. Public awareness and participation surpass other legitimate arguments.

Joni Balter's e-mail address is jbalter@seattletimes.com; for a podcast Q&A with the author, go to Opinion at seattletimes.com

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Washington Secretary of State

PREPPING FOR THE TOP-TWO PRIMARY

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Editorial

Issued: April 25, 2008

This August, the people of Washington will cast their votes in the country's first partisan top-two primary, narrowing the field of candidates vying for precious spots on the November ballot.

The historic qualifying election will follow years of court battles over voting rights and a landmark decision for the people's democracy in the U.S. Supreme Court. Now the burden is on us to get it right, and delicately implement the new top-two primary.

In March, the U.S. Supreme Court reinstated the top-two primary, a system that sends the two leading vote-getters on to November regardless of party, declaring it constitutional as written. But the court made clear: Voters must understand what the candidates' political preferences on the ballot do and do not represent.

Since the decision came down, my office has been engrossed in discussions with the state attorney general, has hired a focus group to test ballot language, and has begun preparations for a public education campaign.

The ballot and voting instructions must clearly illustrate how a top-two primary works:

- The top two vote-getters advance to the general election, regardless of party;
- Voters will not have to choose a political party;
- Voters will freely choose any candidate on the ballot;
- While candidates may state their own political party preferences on the ballot, the preferences do not represent or imply endorsement by a party. Like all private organizations, political parties are free to endorse any candidate. But endorsements cannot be noted on the ballot.

As a result, top-two voters will likely see:

JOHN SMITH

(Prefers [Example] Party)

Or:

JOHN SMITH

(States No Party Preference)

The top-two primary passed by citizen initiative in 2004, carrying nearly 60 percent of the vote. The overwhelming victory, a reflection of the public's cherished independence on the ballot, was short-

lived.

Instead, the top-two primary became the center of multiple court cases and capped off a kind of primary ping-pong that bounced voters from a blanket primary in 2003 to a pick-a-party primary in 2004 and, finally, to a top-two primary in 2008.

The U.S. Supreme Court honored the people's will by reinstating the top-two primary; voters are counting on us to do the same with its careful implementation.

By Sam Reed
Special to The Times (Seattle Times)

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Wednesday, May 21, 2008 - 11:30 am
Kitsap Conference Center

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FEEDBACK

Primary voting rights restored

Apr 23 2008

Washington voters had their rights restored earlier this year by the U.S. Supreme Court, and as a result, we can look forward to a very interesting primary election in August.

The high court ruled that the Top Two primary approved by voters in 2004 is constitutional. So, this August voters will receive a list of candidates and the parties they associate themselves with, and can vote for whomever they want. The top two, regardless of party, will advance to the general election.

Democratic and Republican leaders are aghast by the change, as years of court challenges had succeeded in closing Washingtonians' beloved blanket primary, which allowed voters the freedom to vote for whomever they wanted in the primary. Party leaders insisted that wasn't right, that voters should only choose from the ballot of one party, and that the parties should control who is listed. This came to an ugly climax in February when this state's proudly independent voters were forced to choose a Democrat or Republican ballot in the presidential primary. Independent-minded voters who refused to declare a party preference lost the right to vote.

The Supreme Court's decision in the Top Two case came as a surprise after years of the courts siding with the parties. This victory for the people is the result of an appeal by the Washington State Grange, and arguments by Attorney General Rob McKenna. Both deserve praise for representing the interests of the people, not the parties.

The Top Two primary gives the people a check on the political power of the parties. In a nation of checks and balances, that is how it should be. If parties nominate close-minded goose-steppers sworn to follow the party line, then the voters can choose someone else who shares the party's basic principles but is more open-minded. This should result in more rational people being sent to Olympia and Washington, D.C., and preclude the possibility of either party being taken over by dangerous true-believes.

The Top Two primary also opens the interesting possibility that two people of the same party could advance to the general

election. It could happen in staunchly-Republican North Whidbey, for example. A Democrat is unlikely to beat a conservative Republican, but perhaps a more liberal Republican would have a chance of finishing second in the primary. Then the more liberal candidate would have an advantage in the general election when Democrats would be looking for a candidate, since no one from their own party would be on the ballot. The previously entrenched conservative would have reason to worry.

In short, the first Top Two primary this Aug. 19 promises to be an exciting exercise in local politics and open government. That's what happens when the courts dare to give some power to the people.

School bid

on the mark

Oak Harbor School District and its representatives did a fine job of estimating the cost of the new career and technical building that is part of the \$54 million remodel bond approved by voters in 2006.

In an era when construction project bids of all types have been coming in much higher than anticipated, this latest bid was a refreshing change. The school district estimated the cost at \$8.7 million, while the winning bidder, Ebenal Construction, said it will do the job for \$7.6 million.

This should spare the school board the pain of paring back the project, as happened when Wildcat Memorial Stadium came in over bid. Coupeville experienced a similar situation when its new high school cost much more than anticipated and plans had to be scaled back.

With an acceptable bid secured for the 28,000-square-foot career and technical building, school officials can now proceed with confidence as the rest of the remodeling project is pursued. As long as costs continue to be correctly estimated, there will be no major disappointments as the project proceeds.

It's important that estimates be close to the accepted bid, as this gives the public confidence that those in charge of spending the people's money know what they're talking about. As anyone who has experienced a kitchen remodel knows, it's not easy to correctly estimate the cost of a job. School officials deserve credit for getting it right. Of course, the school board still has to make sure the amount bid is the amount spent, and avoid any change orders that seem excessive.



PRINTER-FRIENDLY FORMAT

Tacoma, WA - Monday, April 21, 2008

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With 'top two,' beware 16 letters of goofiness

PETER CALLAGHAN; THE NEWS TRIBUNE

Last updated: April 20th, 2008 01:26 AM (PDT)

If the U.S. Supreme Court gave Washington state one piece of advice on how to implement the "top two" primary, it was this: Don't do anything to make voters think candidates are endorsed by any political parties if they're not.

In a surprising 7-2 ruling last month, the nation's top court upheld Initiative 872. That cleared the way for a new primary that no longer nominates a candidate from each party but instead advances the two candidates with the most votes.

Because it's a winnowing process and not a party primary, "top two" could be constitutional, the court said.

However, the court warned that if the state screws up and implements a system that confuses or fools voters into thinking that a nonendorsed candidate is nominated by the party, then the parties would be welcomed back into court for another constitutional challenge.

That was the backdrop for the release last week of proposed rules for the first "top two" primary, on Aug. 19. Both the ballot and the voters pamphlet will have language that says the candidates listed aren't necessarily the choices of the party organizations.

The ballots will now say the candidates "prefer" a given party or that they have no party preference.

The parties are free to endorse and even nominate. But that information will not appear on the ballot (although candidates are free to reveal that to voters in their own voters pamphlet statements).

So far, so good, at least as far as the court decision is concerned. But things get strange in how the proposed rules allow candidates to state their preferences. On the declaration of candidacy form are 16 blank spaces between the words "Prefers" and "Party." The candidates use those spaces to describe their party preferences.

According to assistant director of elections Katie Blinn, Secretary of State Sam Reed thinks most candidates will take a traditional path and write in Republican, Democrat, Libertarian or Green. Some might be more descriptive but still honest with phrases like "Liberal Democrat" or "Fiscal Conserv."

"Will there be some goofiness?" Blinn asked. "Yes, but there always has been." Goofiness as in coming up with a fanciful name for a party such as the one Spokane newspaper reporter Rich Roesler suggested: "Prefers A Good Budweiser Party."

Blinn thinks there's nothing like having to spend a lot of money to file for office to sober up the silly candidate. To file for governor, for example, costs 1 percent of the salary for the office, or \$1,636.18. Even a candidate for the Legislature has to pay \$412.

But it's not the goofy candidate that should worry the state and its lawyers – it's the mischievous one.

Imagine if a nonendorsed candidate uses his 16 letters to say something like "Endorsed Dem" or "Nominated GOP" or "Official Libert."

And since the state doesn't edit the voters pamphlet, and the state Supreme Court has tossed out laws punishing lying by

candidates, what's to stop candidates from writing in the pamphlet that they're the official candidates of a party even when they're not?

Blinn said it would be up to the parties to prevent that by taking the secretary of state to Superior Court. But the parties would most likely return to federal court, which still holds jurisdiction over the original case.

Or they might just let it go and use it in a post-election challenge to the initiative as evidence that the "top two" system is in fact confusing to voters and allowed candidates to co-opt the name of the party.

Clearly the Legislature needs to clean up the election statutes to make the initiative work more cleanly and to protect it against more party lawsuits. But in the meantime there's no reason why the secretary of state can't at least prevent candidates from using the ballot or the pamphlet to deceive voters.

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Brokaw winning fundraising race among commissioner candidates

Sunday, April 20, 2008

By **MICHAEL ANDERSEN**, Columbian staff writer

In the race to succeed retiring Clark County Commissioner Betty Sue Morris, Democrat Pam Brokaw's fundraising is lapping the field.

Brokaw, of Ridgefield, brought in more cash through March 31 than all her opponents put together, state records show.

Including donated services, Brokaw raised \$22,106. As for her three registered Republican opponents, Matt Swindell of Ridgefield raised \$11,221, Brad Lothspeich of Felida \$10,401 and Tom Mielke of Battle Ground \$100.

The other declared candidates, Republican Robert Nichols of Barberton and Bridget Schwarz of the Fairgrounds, an independent, hadn't yet registered with the state campaign finance disclosure office. Under a March court ruling, all six candidates will be on a single primary ballot Aug. 19 in northern Clark County, including Hazel Dell, Felida, Battle Ground and Ridgefield. The top two vote-getters, regardless of party, will advance to the Nov. 4 general election, where all the county's voters will choose a winner.

In the last commissioner race, in 2006, Democrat Steve Stuart won after outraising Republican Bruce Hagensen \$260,000 to \$88,000.

That was almost certainly the most expensive victory in county history. Only 2005, when Stuart and Mielke each raised about \$200,000, cost more overall this decade.

Stuart endorsed Brokaw last month in a video prominently placed on her Web site.

Unions donate to Brokaw

Brokaw, a former state Legislature candidate and the director of an Orchards-based affordable-housing nonprofit group, said she spends a lot of time raising money, using the iPhone her campaign bought in January.

"I'll call early in the morning, I'll call later in the afternoon," she said. "I'll call on the weekends."

Almost a quarter of Brokaw's cash, \$5,000, came from the International Brotherhood of Electrical Workers Local 48.

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Let us handle the blueprints for living;
you handle the design for life.

Boldt, Butler have yet to raise funds

Clark County has more than one commissioner seat up for election in November, but you wouldn't know it to look at state fundraising records.

The race to succeed Commissioner Betty

Brokaw drew smaller amounts from unions representing Vancouver and Portland transit drivers and Clark County's health workers and from dozens of individuals, including many local Democratic activists.

Builders favor Swindell

Swindell, a Ridgefield city councilman who works for Summerplace Homes in Battle Ground, drew at least 87 percent of his donations from real estate, development, construction, or engineering companies and their employees.

Swindell said Friday that he expects to broaden that base as the campaign continues.

"You go first to the people you're closest to and the sphere of influence that you're in, and you start working outward," he said.

Swindell didn't draw as many donations as his best-funded opponents, but his were bigger: his average was \$326, compared to Brokaw's \$220 and Lothspeich's \$147.

Swindell, who's in his first competitive race, said he's held several fundraisers but doesn't have a firm fundraising goal.

Swindell said he's gotten used to asking supporters for money.

"It's all about believing in yourself," he said.

Morris backs Lothspeich

Lothspeich, a Felida resident and former Hazel Dell fire chief who has the endorsement of the outgoing Morris, didn't draw any donations over \$500.

"Lots of little ones is as good as one big one, I guess," he said Friday. "I haven't approached a lot of companies at this point."

His biggest donations include \$500 each from iQ Credit Union's political action committee, from each of his parents, and from family friends Ed and Dolly Lynch.

Ed Lynch, a Vancouver businessman, is chairman of a group opposed to the proposed Cowlitz tribal casino near La Center.

Lothspeich said the U.S. Supreme Court ruling ordering a top two primary puts Brokaw at a disadvantage, since the top two primary vote-winners in the conservative north-county district might both be Republicans.

"I think she's probably working a lot more than she was before," he said.

Lothspeich said he hopes to raise at least enough for one mailing to the district's voters, which he said would cost about \$16,000 to \$17,000.

Sue Morris in the first commissioner district, including Battle Ground, Ridgefield and the north county, has drawn lots of money and attention.

Meanwhile, Commissioner Marc Boldt of Hockinson is up for re-election in the second commissioner district, which includes Camas, Washougal and much of southeastern Clark County.

Neither Boldt or his one declared opponent, Martyn Butler of Hearthwood, reported any fundraising by March 31.

Butler, in fact, seemed to have accidentally reported that he's running in the first commissioner district. He lives in the second district, and isn't eligible to run in the first district.

A state official said that as long as Butler corrects the error within a few days of filing for ballot access in June, the mix-up won't lead to any penalty.

Butler first announced he'd run as an independent, but decided to run as a Republican after learning that independents had to organize a personal convention to get on the ballot.

Under the state's top two primary system, Butler and Boldt could wind up facing each other in both the primary and general elections.

Butler said Thursday that he aims to raise between \$7,000 and \$10,000 for the race.

"I'm starting actually (this) week," Butler said.

Boldt, now in his first term, finished his 2004 race with \$18,000 in cash.

Butler, a self-described "conservative Republican," said Thursday that he supports Pam Brokaw, the former chair of the county Democratic Party, in the first-district race.

"She's just a nice lady, and she has enough knowledge of the political scene," he said. "She's open-minded. You can't really pin her as a conservative or a liberal."

— Michael Andersen

Slow start for Mielke

Mielke, a former state representative who narrowly lost to Morris in 2002 and Stuart in 2004, said he'd only raised \$100 by April because he'd been distracted by family issues.

His mother nearly died in February, he said, and his father died in March.

"I've had a rough year," he said.

Mielke, of Battle Ground, started the race with \$3,000 from his last campaign, and said he's used some to pay for a poll of possible voters.

He said voters will see him as the most conservative candidate in the race, and that he intends to start raising money soon.

"It's the way we weigh our priorities, and in my case, my family comes first," he said.

Bob Richter, a retired businessman whose \$100 check was Mielke's only donation before March 31, said he's liked and respected the man since they were next-door neighbors in the mid '90s.

Richter said he's already got Mielke bumper stickers on his three cars.

"As soon as I have a sense that he's going to make a run at something, I'll send him a few bucks," he said. "I will send him more."

Michael Andersen covers Clark County government: 360-735-4508 or michael.andersen@columbian.com.

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Tuesday, April 15, 2008 - Page updated at 12:00 AM

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Time for party officials to say "Uncle"

It's like a World Wrestling Federation match that won't end.

The state GOP, Democrats and Libertarians have revived their anti-populist tag team to drag Washington voters back into the federal ring and stomp the nonpartisan primary. That is despite the U.S. Supreme Court's 7-2 smackdown last month of the parties' efforts to kill the so-called top-two primary, which voters approved handily in 2004.

On May 5, the state parties will argue before a federal judge against Washington's new state and local primary, set to debut in August. They are posturing, arguing the new primary violates their rights in, gee, all kinds of other ways that weren't addressed by the Supreme Court case. As they say on the circuit, how *kayfabe* — a derivative of the pig Latin for "fake."

The parties have no one to blame but themselves. Their lust for control over voter choices and their serious miscalculation of Washington citizens' tolerance for being pushed around have landed them in a pin where they have less control than ever.

Now it's time for *elected* Republicans and Democrats — you know, leaders actually beholden to citizens — to stand up to party officials — and tell them once and for all: Butt out. Go home. Move on.

After all, more than a few electeds found themselves defending party control freaks to angry voters during campaign doorbelling.

For almost 70 years, Washington voters had the choice among all candidates in the old blanket primary, with the top vote-getter of each party advancing to the general election. But the parties successfully sued, saying the blanket violated their rights to select their own standard-bearers.

The Washington Grange championed the successful Initiative 872 so voters could regain control over the primary. Under the voters' primary, the two candidates who receive the most votes qualify for the general-election ballot even if both are members of the same party. Candidates can state which party they most closely identify with — much in the way U.S. Sen. Joe Lieberman of Connecticut ran as an independent but said he would organize with the Democrats once elected.

But the parties sued again, prevailing in U.S. District Court and before the 9th Circuit Court of Appeals, only to run aground before the U.S. Supreme Court. The high court's ruling paved the way for the state to have its first top-two primary in August, and Chief Justice John Roberts even drafted a concurring opinion that laid out a map for how to run the top-two primary without running afoul of the Constitution.

The parties clearly are having trouble moving on. They are back before the federal judge, with whom seven of nine U.S. Supreme Court justices disagreed, to try again to stop the voters' primary.

On what could be a more constructive path, the state Democratic Party is planning local conventions to nominate official party candidates, and the state GOP is considering the idea. Nominated candidates will be able to use those endorsements by party activists in their voters pamphlet statement and in advertising — kind of like nods from unions, community organizations or newspaper editorial boards.

Good for them.

Apparently, state Democrats especially prefer this type of grass-roots candidate selection, judging from how they are selecting delegates to the national convention. The party refused to acknowledge Democratic voters in Washington's Feb. 5 presidential primary, opting instead to base 100 percent of delegate selection on caucus meetings. (The state GOP is basing its delegates to the presidential nominating convention on results from the caucus and primary results equally.) Democratic Party officials insisted national rules prevented them from using results from both the primary and the caucus.

Funny, but Texas Democrats were able to. I was at a meeting with editorial writers from newspapers in Dallas and Fort Worth on March 4, the day of Texas' hybrid prima-caucus. No, it wasn't controversial.

Clearly, state party officials do not have the best interests of Washington citizens at heart. But elected officials who have some pull with the parties should. Since party officials can't seem to stop themselves, party leaders who actually have a relationship with citizens and a responsibility to them ought to put their own tag team together to stop this destructive wrestling match.

Kate Riley's column appears regularly on editorial pages of The Times. Her e-mail address is kriley@seattletimes.com; for a podcast Q&A with the author, go to [Opinion at seattletimes.com](http://Opinion.seattletimes.com)

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Published April 17, 2008

State ballot allows creativity with party preferences

Brad Shannon

The ballot design for the state's first top-two primary is in, and candidates will have quite a bit of leeway to describe their party "preferences," officials with Secretary of State Sam Reed said Wednesday.

Candidates will be able to list known parties or even make up party names — as long as the name is not obscene and does not take more than 16 characters, Reed spokeswoman Trova Heffernan said.

She gave as an example a candidate whose name would appear as "JOHN SMITH." Next to that it could say, "(Prefers Example Party)" or "(States No Party Preference)."

Officials also did not rule out that a candidate could say he or she was a "Tim Sheldon Democrat," "Sam Reed Republican," or "Tax Cut GOP" or "Enviro Dem" or "No War Dem."

"The candidate provides the name of the party. So it's up to the candidate," said Katie Blinn, assistant state elections director.

But with a character limit, fancy labels won't work. The names Republican, Democrat, Libertarian or Green fit with ease, but Socialist Workers would be too long, for instance. "It'll be up to the candidate to decide how to abbreviate," Blinn said.

Heffernan said the reason for so much leeway is it's a First Amendment free speech issue, and the state wants to protect itself from legal action.

The state's Democratic and Republican parties were reviewing the announcement and did not say what legal steps they will take to counter it. With the primary system, the two top vote-getters in August advance to the general election in November regardless of party affiliation — even if they are from the same party.

The top-two got the go-ahead last month after the U.S. Supreme Court ruled that Initiative 872, which voters approved in 2004, was constitutional.

But the court left open the possibility of further legal action if parties could show their legal rights of association were harmed.

"It's going to take a while for us to take a look and review this and figure out what our next steps are," said Luke Esser, state Republican chairman. "Bear in mind, we're still in court. So the questions of how exactly to proceed in court are open."

Libertarians contend their trademarked name means that no candidate other than a party nominee can use it, but one leader, Ruth Bennett, said recently she doesn't think the party will go to court at this time.

Democrats blasted the primary as limiting choice and harming minor parties. "Today, Sam Reed made it official that Washington state has outlawed minor parties. The Libertarian, Green, Independent and Progressive parties can sell their office furniture and computers because they will never again see their names on a meaningful ballot in our state. Dishonestly framed under the auspices of promoting choice, Sam Reed's Top Two annihilates voters' right to choose among a wide range of candidates and the ideas they represent," said Dwight Pelz, state Democratic Party chairman.

Thurston County Auditor Kim Wyman told fellow Republicans last weekend at their county convention that the state's new primary could let a candidate run as a "Kim Wyman Republican."

People laughed, but Wyman wasn't joking.

The ballot is the latest step in a years-long battle begun in 2000 when the U.S. Supreme Court threw out California's wide-open primary, which was fashioned after a blanket-system in Washington that let voters pick any candidate from any party in the primary. The court said that violated a party's right to limit who nominated its candidates, and after Washington's political parties sued the courts invalidated that system.

Lawmakers adopted a top-two primary with a pick-a-party option as the legal backup in 2004, but then-Gov. Gary Locke vetoed the top-two, which left behind a Montana- or Idaho-style partisan primary.

The Washington State Grange then mounted the I-872 campaign, which passed resoundingly, but the parties sued and lower federal courts ruled it unconstitutional.

Blinn said the state elections agency awaits responses from the political parties and should finalize its ballot plan "probably toward the end of next week."

There is urgency because elections offices can receive declarations of candidacy by mail May 16, Blinn said.

Filing week is June 2-6, and the primary is Aug. 19.

HeraldNet

Everett, Wash.

Published: Thursday, April 17, 2008

'Top two' primary: new ballots, new headaches?

Proposed rules call for listing a candidate's party preference, not affiliation, and at least one lawmaker thinks only confusion will result.

By Jerry Cornfield
Herald Writer

OLYMPIA -- Candidates, voters and the political parties will notice some big changes when the first "top two" primary is held this summer -- starting with what gets written on the ballot.

Details on the new wording and the conduct of the Aug. 19 primary are spelled out in draft regulations issued Wednesday by the Office of the Secretary of State.

The most visible change affects those running in partisan races.

They will not have a political party identification next to their name on the ballot. Instead, the candidate's name will appear and underneath will be the phrase "Prefers Democratic Party" or "Prefers Republican Party" or a similar note for another party.

The most notable change may be seeing all candidates, including those of minor parties, grouped together in each race like the old blanket primary. Then the top two vote-getters will advance to the November election.

"The voters are going to love this. The voters want to vote for the person, not the party, and they're getting a ballot allowing them to do that," state elections director Nick Handy said.

U.S. Rep. Rick Larsen, D-Wash., didn't mute his disappointment with the proposed wording, saying it will likely incite more confusion among voters, not less.

"I don't prefer being a Democrat. I am a Democrat," he said. "Voters will look at that ballot and say, 'What does it mean to prefer the Democratic Party?'"

There is a potential for a bit of electoral high jinks. Each candidate will have 16 characters with which to identify the party they prefer. While most will choose "Prefers Democratic Party" or "Prefers Republican Party" there is nothing stopping a person from ordering "Prefers Left-Handed Party" or another made-up name.

Democratic Party Chairman Dwight Pelz used Wednesday's release of the rules to again lash out against the "top two" and its stalwart promoter, Secretary of State Sam Reed.

In a prepared statement, Pelz said it will reduce minor parties and partisan competition in general elections.

"The Libertarian, Green, Independent and Progressive parties can sell their office furniture and computers, because they will never again see their names on a meaningful ballot in our state," he said.

A state Republican Party spokesman said he could not comment until party lawyers finish analyzing the 38 pages of regulations.

"We'll have additional comment in the coming days," GOP spokesman Patrick Bell said.

In March, the U.S. Supreme Court rejected the political parties' challenge of Initiative 872, creating the top two primary.

State election officials immediately started writing the regulations with the high court opinion in mind and the threat of legal action by the parties looming.

One of the most difficult problems they faced was how to inform voters that a candidate may associate with a political party that has not endorsed or nominated them.

What those in the offices of the secretary of state and attorney general came up with is a paragraph making plain that a person can prefer a party but that party may not prefer them.

It reads: "Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate."

This disclaimer must appear on the ballot and on a separate sheet of paper mailed in the same envelope as the ballot.

"I think it will be very confusing," Larsen said. "My answer to this is to go back to like it used to be. Have an open primary and let the people pick."

Reporter Jerry Cornfield: 360-352-8623 or jcornfield@heraldnet.com.

Getting informed

The Office of the Secretary of State posted text of the rules on its Web site at <http://secstate.wa.gov>.

Public comment on the rules will be accepted through Tuesday, with final adoption expected next week. Pending any delays, the rules will be in place by mid-May when candidates can begin filing. Go to www.secstate.wa.gov/_assets/elections/Summary41608.pdf to read the document.

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SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsourc.com/local/6420ap_wa_top_two_primary.html

Last updated April 16, 2008 2:54 p.m. PT

WA proposes "top two" primary ballot design

THE ASSOCIATED PRESS

OLYMPIA, Wash. -- Washington State elections officials are showing off their proposed ballot for the restored "top two" primary.

Secretary of State Sam Reed needs to come up with a new ballot before the Aug. 19 primary. The U.S. Supreme Court reinstated the "top two" primary system last month.

The system allows the top two vote-getters in the primary to advance to the general election, even if they're from the same political party.

Reed's proposed ballot shows each candidate's name, and lists their preferred party affiliation in parentheses. Actual endorsements or party nominations are not allowed on the ballot itself, but they can appear in the voters' pamphlet.

A final decision on the look of primary ballots is still a few weeks away.

John White

From: Kathy Fisher [kathy.fisher@co.yakima.wa.us]
Sent: Thursday, April 17, 2008 12:06 PM
To: Blinn, Katie
Subject: RE: Draft Rules to Implement the Top Two Primary

Hi Katie:

Will there be anything specific added to WAC regarding PCOs not needing the 10% requirement to be declared elected or is that assumed since there are no "partisan candidates" on which to base the percentage?

Thanks!

From: Blinn, Katie [mailto:kblinn@secstate.wa.gov]
Sent: Wednesday, April 16, 2008 10:41 AM
To: ADAMS - Nancy McBroom ; ASOTIN - Elaine Johnston; BENTON - Bobbie Gagner; CHELAN - Evelyn Arnold ; CLALLAM - Patty Rosand; CLARK - Greg Kimsey; COLUMBIA - Sharon Richter ; COWLITZ - Kristina Swanson ; DOUGLAS - Thad Duvall ; FERRY - Dianna Galvan; FRANKLIN - Zona Lenhart ; GARFIELD - Donna Deal ; GRANT - Bill Varney; GRAYS HARBOR - Vern Spatz ; ISLAND - Sheilah Crider; JEFFERSON - Donna Eldridge; KING - Sherril Huff; KITSAP - Walter E. Washington; KITTITAS - Jerry Pettit; KLICKITAT - Brenda Sorensen; LEWIS - Gary Zandell ; LINCOLN - Shelly Johnston; MASON - Karen Herr; OKANOGAN - Laurie Thomas; PACIFIC - Pat Gardner ; PEND OREILLE - Marianne Nichols; PIERCE - Pat McCarthy ; SAN JUAN - Milene Henley; SKAGIT - Jeanne Youngquist; SKAMANIA - J. Michael Garvison ; SNOHOMISH - Carolyn Diepenbrock; SPOKANE - Vicky Dalton ; STEVENS - Tim Gray ; THURSTON - Kim Wyman ; WAHAKIAKUM - Diane Tischer; WALLA WALLA - Karen Martin ; WHATCOM - Shirley Forslof; WHITMAN - Eunice Coker ; Corky Mattingly; ADAMS - Heidi Hunt; BENTON - Brenda Chilton; BENTON - Stuart Holmes; BENTON - Susie Christopher; CHELAN - Nissa Burger; CHELAN - Skip Moore; CHELAN - Stephania Wilder; CLALLAM - Julie Ridgway; CLALLAM - Shannon Cosgrove; CLALLAM - Shoona Radon; CLARK - Tim Likness; CLARK - Tom Godkin; COLUMBIA - Naedene Shearer; COWLITZ - Amee Paxton; COWLITZ - Carolyn Myers; DOUGLAS - Marty Whitehall; DOUGLAS - Pat Pennington; DOUGLAS - Priscilla Navares; FERRY - Liz Stinson; FRANKLIN - Diana Killian; GARFIELD - Peggy Laughery; GRANT - Faith Anderson; GRANT - Sally Andrews; GRAYS HARBOR - Helen Bensigner; GRAYS HARBOR - Julie Murphy; ISLAND - Anne LaCour; ISLAND - LoAnn Gulick; ISLAND - Michele Reagan; JEFFERSON - Betty Johnson; JEFFERSON - Karen Cartmel; KING - Bill Huennekens; KING - Bobbie Egan; KING - Christine Rudolph; KING - Harry Sanders; KING - Jacqueline Timmons; KING - Janice Case; KING - Laird Hall; KING - Rene LeBeau; KING - Sandy McConnell; KITSAP - Dolores Gilmore; KITTITAS - Sue Higginbotham; KLICKITAT - Brandie Sullivan; KLICKITAT - Connie Kayser; KLICKITAT - Pam Pimley; LEWIS - Beth Rosbach; LEWIS - Heather Borts; LEWIS - Mariann Zumbuhl; LINCOLN - Dale Vaughan; LINCOLN - Tina Brown; MASON - Amber Cervantes; OKANOGAN - Mila Jury; PACIFIC - Chris Stephens; PEND OREILLE - Liz Krezinsky; PEND OREILLE - Tina Olson; PIERCE - Lori Augino; PIERCE - Mike Rooney; SAN JUAN - Carllys Allen; SAN JUAN - Doris Schaller; SKAGIT - Casey Earles; SKAGIT - David Cunningham; SKAGIT - Margaret Enders; SKAMANIA - David O'Brien; SKAMANIA - Heidi Penner; SNOHOMISH - Carolyn Ableman; SNOHOMISH - Cindy Gobel; SNOHOMISH - Garth Fell; SNOHOMISH - Joe Smith; SNOHOMISH - Michelle Smith; SNOHOMISH - Wendy Mauch; SPOKANE - Kit Anderson; SPOKANE - Kris Forgey-Haynie; SPOKANE - Mike McLaughlin; SPOKANE - Paul Brandt; STEVENS - Beverly Lamm; THURSTON - Carrie Wack; THURSTON - Lynnette Thornton; THURSTON - Steve Homan; THURSTON - Tillie Naputi-Pullar; THURSTON (VR) - Keith Mullen; WAHAKIAKUM - Karen Fleming; WALLA WALLA - Debbie Benavides; WALLA WALLA - Katrina Manning; WALLA WALLA - Pam Hamilton; WHATCOM - Carolyn Duim; WHATCOM - Debbie Adelstein; WHATCOM - Ethel Heyrend; WHATCOM - Pete Griffin; WHATCOM - Travis Butcher; WHITMAN - Debbie Hooper; Diana Soules; Kathy Fisher
Cc: Elections - All; Heffernan, Trova
Subject: Draft Rules to Implement the Top Two Primary

Dear Election Partners,

We are very excited to be conducting a Top Two Primary this year! This is a great opportunity for Washington!

Our office will be adopting emergency rules to implement this new system. We are distributing a draft of the rules for public comment. Attached, please find:

4/30/2008

- A Summary of the Draft Rules
- The Draft Rules
- The Declaration of Candidacy for public office
- The PCO Declaration of Candidacy

Because of the broad interest in this topic from the press, the political parties and prospective candidates, we will be issuing a press release later this morning to describe these proposed rules.

You can also find this information posted on our website at: <http://www.secstate.wa.gov/elections/rulemaking.aspx> Comments on the draft rules may be submitted to kblinn@secstate.wa.gov by Tuesday, April 22, 2008. These rules do not address the election of Precinct Committee Officer because that position is not subject to I-872.

More information about the Top Two Primary will be forthcoming. I have also attached an email announcing training sessions in DuPont on May 6 and Cheney on May 9.

I want to thank all of you for your continued patience with this new process. We are breaking new ground with this election system because this type of primary is not used anywhere else in the country. So it is natural that this will be a learning process for all of us.

Feel free to contact me with questions and have a good day!

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
kblinn@secstate.wa.gov
(360) 902-4168

John White

From: DavidECunningham [davidec@co.skagit.wa.us]
Sent: Wednesday, April 16, 2008 1:45 PM
To: Blinn, Katie
Subject: RE: Draft Rules to Implement the Top Two Primary
Attachments: davidec@co.skagit.wa.us.vcf

Katie,

A few thoughts:

FILE "DRAFT DECLARATION OF CANDIDACY.PDF"

1. I thought I saw an earlier draft of this form (though I don't know if it was produced by OSOS) which included a section on name pronunciation. This is very helpful in this age in which we must produce audio files for the DAUs. I believe this section came right after the "Please print my name on the ballot exactly as shown" section.

FILE "PCO DECLARATION OF CANDIDACY.PDF"

1. My main comment on PCOs—and I know this is not doable at this time—is that they may kill the Top-Two all by themselves, so, at the least, move them to the General. At best:
 1. Make the parties conduct these elections! These are special elections we conduct for private entities, and we should get out of that business. If that's not possible...
 2. Make it so that if only one person files for a given precinct, there is no election.
 3. Move them to the General so they don't kill the Top-Two.

Thanks,

David

*David Cunningham
Elections Supervisor
Skagit County Auditor's Office
700 S. Second Street, Room 201
P.O. Box 1306
Mount Vernon, WA 98273
Phone: (360) 336-9426
Fax: (360) 336-9429*

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From: Blinn, Katie [mailto:kblinn@secstate.wa.gov]
Sent: Wednesday, April 16, 2008 10:41 AM
To: ADAMS - Nancy McBroom ; ASOTIN - Elaine Johnston; BENTON - Bobbie Gagner; CHELAN - Evelyn Arnold ; CLALLAM - Patty Rosand; CLARK - Greg Kimsey; COLUMBIA - Sharon Richter ; COWLITZ - Kristina Swanson ; DOUGLAS - Thad Duvall ; FERRY -

4/30/2008

Dianna Galvan; FRANKLIN - Zona Lenhart ; GARFIELD - Donna Deal ; GRANT - Bill Varney; GRAYS HARBOR - Vern Spatz ; ISLAND - Sheilah Crider; JEFFERSON - Donna Eldridge; KING - Sherril Huff; KITSAP - Walter E. Washington; KITTITAS - Jerry Pettit; KLICKITAT - Brenda Sorensen; LEWIS - Gary Zandell ; LINCOLN - Shelly Johnston; MASON - Karen Herr; OKANOGAN - Laurie Thomas; PACIFIC - Pat Gardner ; PEND OREILLE - Marianne Nichols; PIERCE - Pat McCarthy ; SAN JUAN - Milene Henley; Jeanne Youngquist; SKAMANIA - J. Michael Garvison ; SNOHOMISH - Carolyn Diepenbrock; SPOKANE - Vicky Dalton ; STEVENS - Tim Gray ; THURSTON - Kim Wyman ; WAHIAKUM - Diane Tischer; WALLA WALLA - Karen Martin ; WHATCOM - Shirley Forslof; WHITMAN - Eunice Coker ; YAKIMA - Corky Mattingly; ADAMS - Heidi Hunt; BENTON - Brenda Chilton; BENTON - Stuart Holmes; BENTON - Susie Christopher; CHELAN - Nissa Burger; CHELAN - Skip Moore; CHELAN - Stephanie Wilder; CLALLAM - Julie Ridgway; CLALLAM - Shannon Cosgrove; CLALLAM - Shoona Radon; CLARK - Tim Likness; CLARK - Tom Godkin; COLUMBIA - Naedene Shearer; COWLITZ - Ameer Paxton; COWLITZ - Carolyn Myers; DOUGLAS - Marty Whitehall; DOUGLAS - Pat Pennington; DOUGLAS - Priscilla Navares; FERRY - Liz Stinson; FRANKLIN - Diana Killian; GARFIELD - Peggy Laughery; GRANT - Faith Anderson; GRANT - Sally Andrews; GRAYS HARBOR - Helen Bensigner; GRAYS HARBOR - Julie Murphy; ISLAND - Anne LaCour; ISLAND - LoAnn Gulick; ISLAND - Michele Reagan; JEFFERSON - Betty Johnson; JEFFERSON - Karen Cartmel; KING - Bill Huennekens; KING - Bobbie Egan; KING - Christine Rudolph; KING - Harry Sanders; KING - Jacqueline Timmons; KING - Janice Case; KING - Laird Hall; KING - Rene LeBeau; KING - Sandy McConnell; KITSAP - Dolores Gilmore; KITTITAS - Sue Higginbotham; KLICKITAT - Brandie Sullivan; KLICKITAT - Connie Kayser; KLICKITAT - Pam Pimley; LEWIS - Beth Rosbach; LEWIS - Heather Borts; LEWIS - Mariann Zumbuhl; LINCOLN - Dale Vaughan; LINCOLN - Tina Brown; MASON - Amber Cervantes; OKANOGAN - Mila Jury; PACIFIC - Chris Stephens; PEND OREILLE - Liz Krezinsky; PEND OREILLE - Tina Olson; PIERCE - Lori Augino; PIERCE - Mike Rooney; SAN JUAN - Carlys Allen; SAN JUAN - Doris Schaller; Casey Earles; DavidECunningham; MargaretEnders; SKAMANIA - David O'Brien; SKAMANIA - Heidi Penner; SNOHOMISH - Carolyn Ableman; SNOHOMISH - Cindy Gobel; SNOHOMISH - Garth Fell; SNOHOMISH - Joe Smith; SNOHOMISH - Michelle Smith; SNOHOMISH - Wendy Mauch; SPOKANE - Kit Anderson; SPOKANE - Kris Forgey-Haynie; SPOKANE - Mike McLaughlin; SPOKANE - Paul Brandt; STEVENS - Beverly Lamm; THURSTON - Carrie Wack; THURSTON - Lynnette Thornton; THURSTON - Steve Homan; THURSTON - Tillie Naputi-Pullar; THURSTON (VR) - Keith Mullen; WAHIAKUM - Karen Fleming; WALLA WALLA - Debbie Benavides; WALLA WALLA - Katrina Manning; WALLA WALLA - Pam Hamilton; WHATCOM - Carolyn Duim; WHATCOM - Debbie Adelstein; WHATCOM - Ethel Heyrend; WHATCOM - Pete Griffin; WHATCOM - Travis Butcher; WHITMAN - Debbie Hooper; YAKIMA - Diana Soules; YAKIMA - Kathy Fisher

Cc: Elections - All; Heffernan, Trova

Subject: Draft Rules to Implement the Top Two Primary

Dear Election Partners,

We are very excited to be conducting a Top Two Primary this year! This is a great opportunity for Washington!

Our office will be adopting emergency rules to implement this new system. We are distributing a draft of the rules for public comment. Attached, please find:

- A Summary of the Draft Rules
- The Draft Rules
- The Declaration of Candidacy for public office
- The PCO Declaration of Candidacy

Because of the broad interest in this topic from the press, the political parties and prospective candidates, we will be issuing a press release later this morning to describe these proposed rules.

You can also find this information posted on our website at: <http://www.secstate.wa.gov/elections/rulemaking.aspx> Comments on the draft rules may be submitted to kblinn@secstate.wa.gov by Tuesday, April 22, 2008. These rules do not address the election of Precinct Committee Officer because that position is not subject to I-872.

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Feel free to contact me with questions and have a good day!

4/30/2008

Katie Blinn
Assistant Director of Elections
Office of the Secretary of State
kblinn@secstate.wa.gov
(360) 902-4168

HeraldNet

Everett, Wash.

Published: Sunday, April 13, 2008

Democrats try to make best of 'top two' primary

By Jerry Cornfield
Herald Writer

In a perfect world by Washington state Democratic Party standards, this is how a primary election would run:

Democrats would get ballots with only the names of Democratic candidates, Republicans, Libertarians and so on would be similarly limited.

No crossover and no confusion. Each party's top vote-getter in the preliminaries of partisan races earns a spot in the final round in November.

We don't live in that perfect world.

We live in Washington, where the two candidates with the most votes in the August primary races advance to the general election without regard to political affiliations, that of the candidate or the voter.

This is what the electorate wanted when it passed Initiative 872. The U.S. Supreme Court recently said it is legal and fair and does no harm to the political parties.

At least, justices pointed out, there is no evidence to prove otherwise because the "top two" primary has never been tried.

Frustrated state Democratic Party leaders are looking to build a good case for injury this election cycle.

At the same time they are determined the party makes it clear to voters who are its torchbearers for office.

To do that, nominating conventions will be convened. These will put an official stamp of Democratic Party approval on one candidate in county, legislative and congressional races.

Elected and appointed precinct committee officers -- they know who they are though most everyone else doesn't -- will do the stamping.

In Snohomish County, it will be pretty simple since nearly every partisan race has only one declared Democratic candidate.

Not so in the 10th Legislative District, where Democrats Patricia Terry and Ann McDonald both want to unseat incumbent Rep. Barbara Bailey, R-Oak Harbor.

In a perfect Democratic world, whichever of the two candidates is not nominated will drop out and unite behind the other.

Don't bet on it happening.

Terry and McDonald are confident they can win in November and see no reason to shut down their campaigns because of what a few party insiders think.

And both said if they get the nomination, they don't care if the other one stays in the race because competition is the essence of democracy.

"If this really represented the will of all the people, that is one thing," McDonald said. "It is the opinion of a small number of people."

The worth of a nomination is hard to assess.

If Terry and McDonald keep running, nothing on the ballot will make it known who got the party's stamp.

Campaign literature and the voter's pamphlet will be the only means of spreading the word.

Terry said the nomination "holds the same value that all endorsements do. It's another layer of information to help voters make decisions."

Party leaders like to think it is worth much more.

This isn't a perfect world.

Political reporter Jerry Cornfield's blog is at www.heraldnet.com. He can be heard at 8 a.m. Mondays on "The Morning Show" on KSER (90.7 FM); 360-352-8623 or jcornfield@heraldnet.com.

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Monday, April 14, 2008

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Published April 14, 2008

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Top-two primary could advance 2 Democrats in commission race

Keri Brenner

The Olympian

Voters in November's general election could end up deciding between two Democratic Thurston County Commission candidates with strong political resumes, the result of Washington's new top-two method for primary elections.

Sandra Romero, a former state legislator, and Jon Halvorson, a former Lacey mayor, are expected to be the top two vote-getters in the four-way Aug. 19 primary race in commission District 2, which includes Lacey, Yelm, Rainier and the eastern third of the county,

The winner will succeed 20-year commissioner Diane Oberquell, who retires at the end of the year.

Both Romero and Halvorson have strong party support, however, Democrats say they

need to designate their favored candidate to preserve party rights as they fight the top-two primary system. Under the Supreme Court ruling that upheld Initiative 872's creation of the top two primary, the door was left open to further legal challenges if parties could show their legal rights are harmed by confusion they claim the system is causing.

The Democratic precinct committee is expected to vote on a nominee April 28. The two other candidates are Republican Robin Edmondson of Rainier and independent Jackie Jo Reid of Yelm.

The top two vote-getters in the primary will advance to the Nov. 4 general election, where one will be elected by voters countywide. The salary for the job is \$105,276.

Whoever wins the seat will face significant challenges. Thurston County faces a budget shortfall of \$4 million or more in 2009, the county is building a new jail, growth pressures are accelerating on rural land and costs are rising for public safety and roads.

Below are excerpts from Halvorson and Romero's comments on how they see five major issues that face the county.



Enlarge Image

Thurston County Commission candidate Jon Halvorson introduces himself to Jayme Bates as he campaigns in Rainier. (Toni L. Bailey/The Olympian)

What's next

On April 28, the 42 Democratic precinct committee officers in commissioner District 2 will vote to nominate one of the two candidates for the Aug. 19 primary election. Filing week for the primary election in June 2-6. The top two vote-getters in the primary will move on to the Nov. 4 general election.

Money raised as of April 11

- Halvorson:** \$27,378 cash, \$607 in-kind
- Romero:** \$14,494 cash, \$2,824 in-kind
- Reid:** \$430 cash, \$947 in-kind
- Edmondson:** \$300 cash

Top contributors

Halvorson

- \$800,** Ken Parsons Sr., Olympia, executive, Venture Bank, Lacey
- \$500,** Frank Hensley, Olympia, retired
- \$500,** Frank Kirkbride, Lacey, real estate developer, The Kirkbride Group
- \$500,** Ali Raad, Olympia, self-employed with Sami Co. LLC

Romero

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1. Land use, growth and economic development:

HALVORSON: Since 22 percent of the general fund comes from the sales tax, a thriving business community is essential to pay for the law and justice services we need.

The county should not develop commercial or retail businesses on unincorporated land outside the urban growth area. Cities generate the sales tax, and the county gets a small share of that revenue.

Next page >>

- \$300, Kathryn Kravit-Smith, Olympia, director, Pierce County Parks
- \$300, Thomas Miller, New York, self-employed designer
- \$250, Ernest Brooks, Olympia, retired
- \$250, Stephen Klein, McKenna, administrator, JZK Inc., Yelm

Edmondson

- \$200, William Ehlers, Lacey, retired

Reid

- \$250, Steve Klein, McKenna, coordinator, Ramtha School of Enlightenment, Yelm

Source: State Public Disclosure Commission

Links

For more information about the functions of Thurston County commissioners, go to www.co.thurston.wa.us

•Jon Halvorson:
www.jonwhalvorson.com

•Sandra Romero:
www.sandraromero.com

•Robin Edmondson:
www.robinedmondson.com

•Jackie Jo Reid:
www.jackiejoreid.com



Enlarge Image

Sandra Romero, a county commission candidate, talks at a public forum at Olympic Crest Coffee Roasters in Lacey. (Steven M. Herppich/The Olympian)

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Mar, 23, 2008

OUR VIEW

New voting system gives primary more importance

A U.S. Supreme Court decision last week promises to drastically change the way we vote in our state. The court upheld the "toptwo" voting system Washington voters approved in 2004.

State officials promise to put the new system for selecting candidates in place this year, meaning voters will have to quickly adjust to a system unlike anything used before in this state.

The top-two system will allow voters to vote for candidates in the primary election this August regardless of party. Only the top two vote getters will make it onto the November general election ballot, again regardless of party.

That means it's possible in some races that voters in the general election will be choosing between two Democrats or two Republicans, with no place on the ballot for anyone of another party.

The change will be monumental, particularly in the importance that will now be placed on the primary. Voters will now be able to vote for the candidate they prefer, regardless of party.

The primary ballot will hold all candidates for election, including members of minor parties such as the Libertarian Party or the Green Party. Only if those candidates can finish in the top two during the primary will they be on the fall ballot.

The new system is not going to be perfect. There are real drawbacks to the elimination of candidates from the general election ballot. But the top-two system is the will of the citizens of this state who are unhappy with changes to the way we vote pushed by the political parties.

A little history: For decades, Washington had an "open primary" that allowed all citizens to vote for whatever candidate they wanted in the primary. The primary allowed each party to pick their preferred candidate for the general election, which then included one member of each party to choose from.

But a similar system in California was ruled unconstitutional, with justices finding the system violated the parties' right to free association. That decision led to a challenge of the Washington system, which was thrown out.

The state Legislature scrambled for a new system that would allow citizens to continue to have independence from party allegiances. Washington voters have always been proudly independent and most resented the idea they would have to declare themselves a member of a particular party in order to vote.

The Legislature passed a version of the top-two system in 2003 to be the new system in the state. But then-Gov. Gary Locke vetoed that change under pressure from the parties and concern that a top-two system would also be ruled unconstitutional. In 2004, Washington voters overrode the governor when they passed a top-two system by initiative.

Regular voters know that new system was never implemented. Washington's political parties sued in early 2005, saying the system violated their rights to choose their own candidates for election. When a federal judge ruled in their favor, a system was put into place that required citizens to vote only for members of one political party during the primary. Though citizens didn't have to "declare" themselves members of a party, they were still limited in their voting options to only voting for members of one party. Thus voters were no longer able to vote for a Republican for one seat and a Democrat for another.

The separate primary ballots have caused much consternation for voters in this state.

Now the Supreme Court has overruled the lower court's decision and declared the top-two system can be constitutional, depending on how it is implemented.

Secretary of State Sam Reed has promised to implement the system immediately, with the change on this year's ballot, which will be mailed out to voters in July.

The decision will mean some noticeable changes this summer and fall:

The primary becomes vitally important. In the past, voter turnout for the primary has been significantly smaller than in the general election. We urge voters to change that voting pattern immediately. If voters do not turn out in the August primary, the candidate they most support may not make it through to the November ballot.

Minor-party voting moves to the primary. If you support minor-party candidates the primary may be your only chance to register that support, unless a minor-party candidate can win enough support to finish in the top two in the primary and earn their way on the general-election ballot. That may be a tall task for those groups.

Organization within the parties will become vital. Under the rules it appears the Supreme Court favors, anyone can run under a party's banner, with or without the approval of the party. So parties will likely become much more important as they work to galvanize supporters behind the one candidate they really want to make it on to the top-two general-election ballot.

Parties may be closed out in some areas. It's not hard to imagine a scenario in some Seattle districts where both of the top-two candidates in the primary are Democrats. It's not hard to imagine a similar scenario for Republicans in some Eastern Washington districts. How voters react when their choices are limited in the general election will be the real test of whether this new system really works for citizens.

It's a shame that our voting system has come to this. Like most voters, we would have preferred the open system that served this state so well for so many years.

But there is no going back. As strange as some aspects of the top-two system will be for voters, it is still infinitely preferable to the system that limits voters to voting by party and refuses to allow for the idea that intelligent voters can prefer candidates from different parties for different positions.

So to the party-only ballots voters have been stuck with during primaries the last couple years we say "good riddance." Now get started early learning about and studying candidates for this year's new and more important primary. Ballots will be mailed out in July, and it's vital that voters take part.

SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsource.com/local/6420ap_wa_primary_lawsuit.html

Last updated March 18, 2008 7:45 a.m. PT

Sam Reed: Washington victory in Supreme Court ruling on primary

THE ASSOCIATED PRESS

OLYMPIA, Wash. -- Secretary of State Sam Reed says the U.S. Supreme Court decision upholding the top-two primary election system is a victory for the state of Washington.

Today's ruling means the state can use a primary that allows the top two vote-getters to advance to the general election, even if they are from the same party.

Washington never held a primary under the new system because of legal challenges.

Reed says the top-two system will take effect with the August primary election.

Reed also says the ruling sets a precedent that will allow other states to break political party control on primary elections. He says, "I think we'll see it around the country."

The top-two plan was created by initiative in 2004, but blocked by court challenges. The major parties said they should have the right to select their own nominees.

SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsourc.com/opinion/355508_toptwoed.html

New Primary Model: Coming in August

Last updated March 18, 2008 4:58 p.m. PT

SEATTLE POST-INTELLIGENCER EDITORIAL BOARD

Voters will finally have a chance to try the more independent type of primary voting they approved.

What a long, strange trip it has been for the Washington State Grange and the overwhelming number of voters who approved a 2004 initiative to establish a new primary system, modeled largely on the open voting system rejected by the U.S. Supreme Court. This time, the court was a happy end -- or stop along the way -- for hard-to-fence-in state voters.

Secretary of State Sam Reed said Washington can use the system established under Initiative 872 for August's primary. Candidates will be labeled by their own choice of party, and the top two primary vote-getters, regardless of party, will appear on the November ballot. In Seattle, we suspect that will set up some Democrat vs. Democrat contests in the general election.

The court's majority decision made it clear that political parties could challenge I-872 again if voters are confused into believing that a candidate's own choice of party label reflects party endorsement. We think voters are smarter than that. It's possible, however, that voters will dislike what the changes bring, such as the likely disappearance of minor party candidates from the November ballots.

For now, though, it's on to August and an election in November with the voters' two favorites. And that sounds like what voters wanted.

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SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsourc.com/local/356323_legislature25.html

Expect hot legislative races this year

Last updated March 24, 2008 9:57 p.m. PT

By CHRIS MCGANN
P-I CAPITOL CORRESPONDENT

OLYMPIA -- In a year already dominated by politics, an old guard exodus from the Legislature and new rules for the state primary are setting up what promises to be a very active campaign season.

In the state House, at least nine seats, including two in coveted Seattle districts, are up for grabs. At least two Senate positions are also in play.

And under the new "top two" primary system, races in districts that lean heavily toward one party will no longer be settled with the primary. The two candidates who get the most votes will continue to battle until the November election -- even if they hail from the same party.

Two years ago in Seattle, a rare open seat in the 43rd District drew six Democratic candidates and yielded the most expensive primary in state history. This year, Rep. Helen Sommers' retirement (36th District) and Rep. Jim McIntire's (46th District) bid to become state treasurer could be openings for another Democratic free-for-all.

Democrats Reuven Carlyle and John Burbank are already vying for Sommers' open seat.

Carlyle said the "wave of energy for change" in the presidential race has a ripple effect and that the top two primary has completely changed the nature of the race.

In left-leaning Seattle, the primaries are almost sure to narrow the field to two Democrats for the November general election.

"It's going to be a strong, long marathon," Carlyle said. Before, "In these overwhelmingly Democratic districts, it would have been over Aug. 19 (the day of the primary) ... now the race goes all the way to the general."

The long-haul race will cost at least \$300,000, he said.

"It's absolutely going to cost more money and a lot more time and effort," Carlyle said.

Political strategist Cathy Allen said the new primary and the likely possibility that two Democrats will face off in the November election profoundly changes the electoral demographics.

In past years, Seattle voters who picked the party's candidate and by default the heir to the position were typically older and more partisan.

Allen said that with the huge turnout expected for the presidential race, the electorate would be more moderate and younger, between 42 and 45 years old on average compared with 57 to 58 years old in the primary.

"I anticipate a huge outpouring of young votes," Allen said. "They, by their very nature, are more likely to be anti-old timer and will be looking for the young blood, new ideas new voices and basically new energy. The theme this year is not same old, same old -- it is change."

Another change in the dynamic: Seattle's Republican voters.

"We all know who they are," Allen said. "There are at least 20 percent who are looking for a more moderate candidate."

Allen said she is not working for either candidate but plans to endorse Carlyle.

But she said all indications are that Burbank and Carlyle would be competing right on through to November.

Allen said it's difficult to overstate how much the Supreme Court's decision to uphold the voter-approved top two primary will change local politics.

"That's why I've always said, 'When it comes to politics in Washington, if you don't like it, all you have to do is wait around,' " she said.

In addition to Sommers and McIntire, seven state representatives and two senators are not seeking re-election. They are:

Democratic Reps. Shay Schual-Berke of Normandy Park, Bill Fromhold of Vancouver, Patricia Lantz of Gig Harbor and William "Ike" Eickmeyer of Belfair.

Republican Reps. Bob Sump of Republic, Joyce McDonald of Puyallup and Lynn Schindler of Spokane.

In the Senate, Democrats Harriet Spanel from Bellingham and Brian Weinstein of Mercer Island have said they would not run for re-election this fall -- though Weinstein wavered, suggesting he might change his mind.

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Top Two primary needs a party-friendlier ballot

THE NEWS TRIBUNE

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What's wrong with an asterisk?

An asterisk, that is, behind the names of party-endorsed candidates on the state's new Top Two primary ballots.

Initiative 872 – which created Top Two and has just been conditionally upheld by the U.S. Supreme Court – does not permit any ballot distinction between candidates endorsed by political parties and candidates who merely want to associate themselves with parties, if only in the minds of voters. That's the opinion of Attorney General Rob McKenna, anyway, and who are we to argue?

This is a sin of omission: Because the initiative doesn't explicitly permit putting nomination information on the ballot, McKenna says, it implicitly forbids it.

But this omission could conceivably sabotage Top Two in the courts.

Let's be clear: I-872 is a declaration of war on Washington's political parties. By redefining the primary as a means of narrowing the field to the two top vote-getters – instead of a means of nominating partisan candidates – it tells the parties to butt out of the business of selecting candidates for the November election.

But the Supreme Court doesn't share this hostility. It has already ruled that parties can't be forced to associate with candidates they don't like. "Forced association" is a violation of the First Amendment.

The state's Democratic and Republican leaders had argued that because Top Two wouldn't distinguish between party-nominated candidates and candidates who claim party affiliation – think David Duke for Republicans and Lyndon LaRouche for Democrats – any resulting voter confusion would be the equivalent of forced association.

The court majority took that argument seriously. It permitted Washington to proceed with Top Two in part because the new system had been tied up in the courts before it went in effect. So the party leaders who'd challenged it didn't have any evidence of voter confusion.

Clarence Thomas, author of the opinion, said the confusion could be prevented by right kind of ballot – one that, say, "emphasizes the candidates personal determination rather than the party's acceptance of the candidate, such as 'my party preference is the Republican Party.'" Voters pamphlets might also offer similar disclaimers.

But what if the parties, in a future evidence-based challenge, produce voters who insist they were confused?

The easy way to pre-empt that argument, and throw the parties a sop, would be to indicate partisan nomination on the ballot itself – with a simple asterisk perhaps. The 2009 Legislature could do this by simple majority. It would be hard for the parties to argue that voters were confused when the asterisk (or whatever) was staring them in the face as they filled out their ballot.

We doubt the majority of Washingtonians share the peculiar anti-party hostility of Top Two's hard-core supporters. Most citizens simply wanted a primary where they could again vote for candidates of any party on the same ballot.

But even the anti-party crowd should realize that armoring their initiative against a future challenge might not be such a bad idea – even if it gives party leaders a twinge of satisfaction.

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