

# Our state should consider Instant Runoff Voting

The Ninth U.S. Circuit Court of Appeals sent Washington's election system back to the drawing board in August when it struck down Washington's "top-two" primary.

That system, similar to the non-partisan primary used for most elected offices in Washington, was voters' reaction to the Montana-style "pick-a-party" primary first used in 2004 as a replacement for Washington's traditional blanket primary.

As expected, the voters' choice of a top-two primary in Initiative 872 was not a popular one with political parties, who joined together in filing a lawsuit in opposition; the court rejected the top-two system for the same reason it found the blanket primary unconstitutional.

The Pierce County Charter Review Commission recently offered a solution that would satisfy the voters, the political parties and the courts. Proposed Charter Amendment Three, which will appear on this November's

ballot in Pierce County, will give voters the chance to replace the pick-a-party primary with Instant Runoff Voting. Like the top-two system, Instant Runoff Voting gives voters the choice of any candidate and any party that they had under the blanket primary system. Instant Runoff Voting also has an answer to the legal hurdle the top-two system and the blanket primary were unable to clear. These systems failed to protect the associational rights of the political parties; in other words, the parties had no control of who decided to run on the primary ballot using their party label. Amendment Three protects this right by letting parties control their own



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nominating process.

Instead of making the taxpayers foot the bill for party nominations in a low turnout primary, Instant Runoff Voting uses a single election in November. Each party may nominate as many candidates as it would like to be on the November ballot. Voters simply rank as many candidates as they like, in order of preference. If a candidate receives a majority of the first choice votes, he or she is elected. If no candidate receives a majority, the last place candidate is eliminated and those votes get allocated to the voters' second choices. This process continues until one candidate gains a majority of votes.

Amendment Three offers additional benefits to both the voters and political parties in Pierce County. Voters not only have their choice of parties, but are also able to rank their candidates in order of preference. This means they can use their choices to express their true feelings and preferences without worrying about spoil-

ing an election and handing the victory to a least favorite candidate. Parties not only get to control their nomination process, but also can run multiple candidates and appeal to diverse constituencies within the party without worrying about splitting votes.

Many voters across the state are unhappy with the pick-a-party system. Although there is some talk of a non-partisan top-two primary, it is clear that this is undesirable to the parties. Furthermore, it is unlikely that voters, even independents, want to entirely eliminate the useful guidance of having party labels on the ballot.

Amendment Three and Instant Runoff Voting offer a better solution to the primary problem. It gives voters the choices they want, protects parties' control over their labels on the ballot, addresses the legal shortcomings of the blanket and top-two primaries and reduces election administration costs by requiring only one election instead of two. There may not be a perfect election system,

but one that does all that certainly comes close.

The state legislature has already authorized an Instant Runoff Voting pilot project (HB 1447 in 2005, which we sponsored). Now Washington should follow Pierce County's lead and consider Instant Runoff Voting as a replacement for the pick-a-party primary.

**Rep. Toby Nixon, R-Kirkland, represents the 45th Legislative District, which includes Woodinville, Duwall, Carnation, and parts of Bothell, Kirkland, Redmond, and Sammamish; he is the ranking member of the House committee on State Government Operations & Accountability, which has responsibility for election laws.**

**Rep. Jim Moeller, D-Vancouver, represents the 49th Legislative District, which includes Vancouver and Hazel Dell. He has been a long-time advocate of Instant Runoff Voting, and was prime sponsor of HB 1447.**