

Proposed Constitutional Amendment

*OFFICIAL BALLOT TITLE

HOUSE JOINT RESOLUTION NO. 19

QUALIFICATIONS OF VOTERS

Shall Article VI, Section 1 of the State Constitution relating to qualifications of voters be amended to reduce the periods of state and county residence required for voting at all elections; eliminate disqualification from voting by Indians not taxed, and allow citizens intending to make this state their permanent residence to vote for presidential electors or President and Vice-President of the United States, after sixty days' residence?

* Ballot Title issued by John J. O'Connell, Attorney General.

Vote cast by 1961 Legislature on final passage of House Joint Resolution No. 19: HOUSE OF REPRESENTATIVES: 99 Members—90 Yeas; 4 Nays; 5 Absent or not voting. STATE SENATE: 49 Members—35 Yeas; 12 Nays; 2 Absent or not voting.

OFFICIAL ARGUMENT FOR HOUSE JOINT RESOLUTION NO. 19

— DO YOU KNOW —

- That according to the American Heritage Foundation some 8,000,000 citizens lose their vote because they move from one state to another during an election year?
- That the American Heritage Foundation, the American Bar Association, and the National Association of Secretaries of State, are conducting a national campaign to modernize election laws by reducing residence requirements for voting in all states?
- That twelve states, including the adjacent states of Idaho and Oregon, **since statehood** have required only six months for voting residence?
- That the only way any person can vote for President and Vice-President of the United States is by first qualifying as a voter of the state in which he resides? (There is no such thing as a Federal ballot.)

The approval of this constitutional amendment will modernize our election laws in the following two ways:

1. Reduce the residence requirements for voting at Federal, state and local elections from one year to six months.

2. During a presidential election year, if citizens meet **all** other requirements **except** residence—then if they have resided in the state for at least 60 days—they can vote a special ballot on the position of President and Vice-President **only**.

Should this amendment be approved, the 1963 Legislature will enact executing statutes carefully spelling out the voting procedures and including severe penalties to assure the integrity of the ballot box.

The argument that it requires at least one year's residence for newcomers to become informed voters is not valid. Most campaigning for public office and all campaigning on state issues, including measures involving increased taxes, is confined to the last few months prior to an election.

MODERNIZE OUR ELECTION LAWS - VOTE "YES" ON H. J. R. No. 19

COMMITTEE APPOINTED TO COMPOSE ARGUMENT FOR HOUSE JOINT RESOLUTION NO. 19

SENATOR JOHN T. McCUTCHEON, Chrm.
Senate Committee on Elections
P.O. Box 387, Steilacoom, Wash.

REPRESENTATIVE PAUL HOLMES, Chrm.
House Committee on Elections
605 W. 10th, Ellensburg, Wash.

KENNETH N. GILBERT
State Supt. of Elections
Deputy Sec. of State, Olympia

EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW

The Law As It Now Exists:

Presently, in order to be entitled to vote a person must be at least twenty-one years of age; be able to read and speak the English language; be a citizen of the United States; have lived in the state one year, in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which such person offers to vote. *Those Indians who are not taxed are prohibited from voting.

*(NOTE: While the supreme court has not interpreted this prohibition, the attorney general of Washington as early as 1916 and as late as 1938, concluded that Indians who are citizens are entitled to vote like other citizens under the 15th Amendment to the U. S. Constitution which provides, in part, that the right of any citizen to vote shall not be denied or abridged by any state on account of race. These opinions have been followed by the secretary of state and other election officers of this state for many years.)

Effect of House Joint Resolution No. 19 If Approved Into Law:

The proposed constitutional amendment would reduce the period of state and county residence required for voting to six months in the state and thirty days in the county.

*The prohibition against voting by Indians would be eliminated. (*See note above.)

In addition, those persons who can meet all the qualifications for voting except for residence and who shall have resided in this state at least sixty days immediately preceding a presidential election with the intention of making this state their permanent residence, shall be entitled to vote in such election for presidential electors, or on the office of President and Vice-President of the United States, as the case may be, but for no others.

NOTE: Complete text of House Joint Resolution No. 19 appears on Page 45.

OFFICIAL ARGUMENT AGAINST HOUSE JOINT RESOLUTION NO. 19

Presidents are chosen as the vote goes in the several states through the electoral college system. Therefore, only bonafide state residents should vote. Should the method of election ever be changed to a direct primary, then the floating population would not be of great importance. Until such a time, those voting should be bonafide state residents.

At the present time to get a divorce, one must live in the state a year. Under this proposal to vote for president, one would only have to be in the state for 60 days.

To vote for city offices and likewise for school districts, bond issues and taxing measures, one would have to establish only 30 days residence in the county, city or district concerned. People who would be in a given town or taxing unit for a very short period of time would be able to cast a ballot on matters of which they had no acquaintance. Likewise, people who lived in a state only 6 months of the year could pass taxes in a town in which they would only spend 30 days of their life each year. Transient people should not be able to cast ballots affecting the welfare of the permanent residents. The present law of one-year residence has worked very well and there is no reason for any change.

VOTE "NO" ON H. J. R. No. 19

COMMITTEE APPOINTED TO COMPOSE ARGUMENT AGAINST SENATE JOINT RESOLUTION NO. 19

PERRY B. WOODALL
State Senator—15th District
P.O. Box 507
Toppenish, Washington

HARRY A. SILER
State Representative—20th District
Route 2
Randle, Washington

of such offices; the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: PROVIDED, That if, in the judgment of the legislature at the time of disaster, conformance to the provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution:

Article 14, Sections 1 and 2, Seat of Government;

Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;

Article 3, Section 10 (Amendment 6), Succession to Governorship: PROVIDED, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6, of the State Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;

Article 3, Section 13, Vacancies in State Offices;

Article 11, Section 6, Vacancies in County Office;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing proposed constitutional amendment to be published for at least three months next preceding said election, in a weekly newspaper in every county where a newspaper is published throughout the state.

Passed the House Mar. 8, 1961.
JOHN L. O'BRIEN,
Speaker of the House.

Passed the Senate Mar. 7, 1961.
JOHN A. CHERBERG,
President of the Senate.

EXPLANATORY COMMENT H.J.R. NO. 9:

All words underscored do not appear in the Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State

COMPLETE TEXT OF

House Joint Resolution No. 19

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

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in No-

vember, 1962, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, amendments to Article VI of the Constitution of the State of Washington by amending section 1 thereof and by adding a new section thereto to be known as section 1A, so that said sections will read as follows:

Article VI, section 1. All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state (~~(one year)~~) six months, and in the county, (~~(ninety days, and in the)~~) city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: (~~(PROVIDED, That Indians not taxed shall never be allowed the elective franchise: AND FURTHER)~~) PROVIDED, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex.

Article VI, section 1A. In consideration of those citizens of the United States who become residents of the State of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons, who can meet all qualifications for voting as set forth in section 1 of this Article except for residence, to vote for presidential electors, or on the office of President and Vice-President of the United States, as the case may be, but no other, provided, that such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause the foregoing constitutional amendments to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House Feb. 10, 1961.
JOHN L. O'BRIEN,
Speaker of the House.

Passed the Senate Feb. 22, 1961.
JOHN A. CHERBERG,
President of the Senate.

EXPLANATORY COMMENT H.J.R. NO. 19:

All words enclosed in double parentheses and lined through are in our State Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the State Constitution as it is now written but will be put in if this amendment is adopted.

VICTOR A. MEYERS, Secretary of State