



# HOUSE JOINT RESOLUTION 4231

## PROPOSED CONSTITUTIONAL AMENDMENT

Note: The ballot title and explanatory statement were written by the Attorney General as required by law. The complete text of House Joint Resolution 4231 begins on page 35.

Vote cast by the 1988 Legislature on final passage:  
HOUSE: Yeas, 94; Nays, 0, Absent or not voting, 4.  
SENATE: Yeas, 46; Nays, 0, Absent or not voting, 3.

### Official Ballot Title:

Shall references in the State Constitution to "idiots, insane, dumb, and defective youth" be removed and new language be added?

### The law as it now exists:

The State Constitution declares that "idiots and insane persons" are not eligible to vote. The Constitution, in describing educational,

reformatory and penal institutions which shall be operated and supported by the state, also refers to the institutions for the benefit of the "blind, deaf, dumb or otherwise defective youth, and for the insane or the idiotic."

### The effect of HJR 4231, if approved into law:

If approved, HJR 4231 would remove from the State Constitution references to "idiots, insane, dumb, otherwise defective youth and idiot." New language would provide that individuals who are judicially declared mentally incompetent would be ineligible to vote during the period of their incompetency. The description of institutions operated or supported by the state would add new language referring to "youth who are blind or deaf or otherwise disabled; and persons who are mentally ill or developmentally disabled."

### Statement for

People with disabilities deserve our full respect. But they have not always received it.

In bygone days people with disabilities were sometimes considered to be less than full human beings. They were referred to as "idiots" and "defective." Such words used in those days reflected prejudice and ignorance. Unfortunately our State Constitution still contains such language.

It is past time that we update the obsolete passages in our State Constitution which refer to people with disabilities. Our Constitution should treat all of us with the respect we deserve as people.

This measure is a simple change in the wording of two sentences. It will cause no change in policy. But it will mean a great deal to thousands of Washingtonians. Please support this measure.

#### Voters Pamphlet Statement Prepared by:

WES PRUITT, State Representative; ARLIE DEJARNATT, State Senator; GARY NELSON, State Senator.

Advisory Committee: RALPH MUNRO, Secretary of State; RUTH FISHER, Chair, House Committee on Constitution, Elections and Ethics, State Representative; WM. L. E. DUSSAULT, J.D., Attorney at Law; VAN R. HINKLE, Co-Founder, Foundation for the Handicapped; JOY ISHAM, President, Washington Association of Retarded Citizens.

### Statement against

State law requires that the argument and rebuttal statement against a constitutional amendment be written by one or more members of the state Legislature who voted against that proposed measure on final passage or, in the event that no such member of the Legislature consents to prepare the statement, by any other responsible individual or individuals to be appointed by the Speaker of the House of Representatives, the President of the State Senate, and the Secretary of State. No legislator who voted against House Joint Resolution 4231 or other individual opposing the measure consented to write an argument against the measure for publication in this pamphlet.



## COMPLETE TEXT OF House Joint Resolution No. 4223

BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED: THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VIII, section 10 of the Constitution of the state of Washington to read as follows:

Article VIII, section 10. Notwithstanding the provisions of section 7 of this Article, ~~((until January 1, 1990))~~ any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of ~~((residential))~~ structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the ~~((residential))~~ structure benefited or a security interest in the equipment benefited. Any financing authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another. ~~((Except as to contracts entered into prior thereto, this amendment to the state Constitution shall be null and void as of January 1, 1990 and shall have no further force or effect after that date.))~~

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

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

BE IT FURTHER RESOLVED, That the foregoing amendment shall be construed as a single amendment within the meaning of Article XXIII, section 1 of this Constitution.

The legislature finds that the changes contained in the foregoing amendment constitute a single integrated plan for updating terminology. If the foregoing amendment is held to be separate amendments, this joint resolution shall be void in its entirety and shall be of no further force and effect.



## COMPLETE TEXT OF House Joint Resolution No. 4231

BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED: THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VI, section 3 and an amendment to Article XIII, section 1 of the the state Constitution to read as follows:

Article VI, section 3. All ~~((idiots, insane persons, and))~~ persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise.

Article XIII, section 1. Educational, reformatory, and penal institutions; those for the benefit of ~~((blind, deaf, dumb, or otherwise defective youth; for the insane or idiotic))~~ youth who are blind or deaf or otherwise disabled; for persons who are mentally ill or developmentally disabled; and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of all such institutions existing at the time of the adoption of this Constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by ayes and noes, and entered upon the journal.