

SENATE BILL REPORT

SJR 8208

As of January 29, 2009

Brief Description: Repealing a conflicting residency requirement for voting in a presidential election.

Sponsors: Senators Carrell, Fairley, Swecker, McDermott and Pridemore; by request of Secretary of State.

Brief History:

Committee Activity: Government Operations & Elections: 1/29/09.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Sharon Swanson (786-7447)

Background: Article VI, Section 1 of the Washington State Constitution entitles all persons who are 18 years or older, citizens of the United States, and have lived in the state, country, and precinct 30 days immediately preceding the election to vote in all elections.

Article VI, Section 1a of the Washington State Constitution provides that all citizens of the United States who become residents of Washington during the year of a presidential election with the intention of making it their permanent residence may vote for presidential electors or for the office of President and Vice-President of the United States if they resided in the state at least 60 days immediately preceding the election.

At the time Section 1a was added to the Washington State Constitution in 1966, Section 1 required voters to live in the state for one year, in the county for 90 days, and in the city, town, ward, or precinct for 30 days immediately preceding the election. The original purpose behind Section 1a was to allow citizens who met all of the qualifications for voting, except the residence requirement, to vote for the office of President. (Section 1 was amended in 1974 to read as it does today.)

Summary of Bill: At the next general election, an amendment to Article VI Washington Constitution will be submitted to the voters to repeal Section 1a of Article VI, in its entirety.

The Secretary of State is required to publish notice of the amendment at least four times during the four weeks preceding the election in every newspaper in the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The act takes effect upon approval by the voters at the next general election.

Staff Summary of Public Testimony: Washington has a demonstrated history of close elections. If our state was ever a closely contested state in the presidential election, it is conceivable that the inconsistency in our State Constitution could be used to challenge the votes of our citizens. Basically, the state has been ignoring a provision in our Constitution. The safest solution is to remove the inconsistent section from the Constitution.

Persons Testifying: Senator Mike Carrell, Prime Sponsor; Megan Moreno, Secretary of State.