

SENATE BILL REPORT

ESHB 2594

As Reported By Senate Committee On:
Government Operations & Elections, February 22, 2006

Title: An act relating to bilingual voting assistance.

Brief Description: Providing assistance to non-English speaking voters.

Sponsors: House Committee on State Government Operations & Accountability (originally sponsored by Representatives Hasegawa, McCoy, Santos, Pettigrew, Kenney, Hudgins, Upthegrove, Hunt, O'Brien, Haigh, Kagi and Dickerson).

Brief History: Passed House: 2/13/06, 55-43.

Committee Activity: Government Operations & Elections: 2/23/06, 2/22/06 [DP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Fairley, Haugen, Kline and Pridemore.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Mac Nicholson (786-7445)

Background: Section 203 of the Voting Rights Act requires a state or political subdivision to provide registration notices, forms, instructions, assistance, and other materials relating to the electoral process, including ballots, in the language of an applicable minority group as well as in English. This law applies if more than 10,000 or over 5 percent of the total number of citizens of voting age in a county are members of a single minority language group and are limited in English proficiency. In Washington, four counties are required to provide voting materials in additional languages: Adams, Franklin, and Yakima counties must provide materials in Spanish, and King County must provide materials in Chinese. The provisions of section 203 expire in 2007.

Summary of Bill: A joint select legislative task force is established to increase voter participation for single-language minority groups. The task force is required to make recommendations on implementing the requirements of section 203 of the Voting Rights Act within the state; identify ways to increase voter participation by single-language minority groups; and recommend parameters for providing languages other than English on voting and election materials. The task force must report its findings, recommendations, and proposed legislation to the appropriate committees of the Legislature by January, 2007.

The task force includes four legislators, two appointed by the Secretary of the Senate (Secretary), and two appointed by the Speaker of the House of Representatives (Speaker).

The Secretary and the Speaker jointly appoint the following members: two county auditors or elections' directors in counties required to provide election materials in a language other than English; four representatives from bi-lingual communities; two representatives from an organization with expertise with section 203 of the voting rights act; and one representative of an organization that has expertise in civil liberties.

A representative from the Office of the Secretary of State will serve as a nonvoting member, and staff support for the task force is provided jointly by Senate Committee Services and the House of Representatives Office of Program Research.

Voters who need language interpretation assistance may designate a person of his or her choice to enter the voting machine booth at poll sites to assist with interpretation of voting material and recording the vote. The interpreter may not be the voter's employer or be associated with the voter's union. County auditors are encouraged to appoint bilingual staff at poll sites that correspond to the languages spoken in that county.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Section 203 of the federal act expires and the state should preserve the provisions of the act in case Congress doesn't. Many non-English proficient citizens have registered to vote but have not exercised their right to vote, mainly due to language barriers. This bill will increase civic engagement.

Testimony Against: None.

Who Testified: PRO: Representative Hasegawa, prime sponsor; Shane Hamlin, Office of the Secretary of State; George Cheung, Raising Our Asian American Representation.