

SENATE BILL REPORT

SJR 8220

As Reported By Senate Committee On:
Government Operations & Elections, February 2, 2006

Title:

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

Sponsors: Senators Carrell, Kastama, Morton, Mulliken, Regala, Schoesler, Schmidt, Stevens, Pridemore and Benson.

Brief History:

Committee Activity: Government Operations & Elections: 1/31/06, 2/2/06 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

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

Staff: Mac Nicholson (786-7445)

Background: Article VI, section 1 of the state constitution establishes the qualifications of voters and requires voters be 18 years or older; be citizens of the United States; and have lived in the state, county, and precinct 30 days immediately preceding the election.

Article VI, section 1a of the State Constitution provides that 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 the Office of President if they have resided in the state at least 60 days immediately preceding the election.

Section 1a was amended to the constitution in 1965. At the time section 1a was added, section 1 required voters to have lived in the state one year, in the county 90 days, and in the city, town, ward, or precinct 30 days immediately preceding the election. The purpose of section 1a was to allow citizens who met all the qualifications for voting, except for the residency requirement, to vote for President. Section 1 was later amended in 1974 and established the 30 day residency requirement for all elections that we have in effect today.

Today, sections 1 and 1a provide different residency requirements. Section 1 requires a 30 day residency to vote at all elections; while section 1a requires a 60 day residency for those who meet all the requirements for voting except for residency. Read together, the sections provide that a person who doesn't meet the 30 day residency requirement may vote for President if he or she meets a 60 day residency requirement.

Summary of Bill: The Secretary of State must submit to the voters a constitutional amendment to repeal Article VI, section 1a of the state constitution.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: The state constitution has conflicting requirements for residency for elections. Article VI, section 1a requires 60 days, while section 1 requires only 30 days. The discrepancy came about prior to the 1974 amendment of section when a citizen needed to live in the state one year, the county 90 days, and the precinct 30 days. Section 1a was added in 1965 to allow citizens without the necessary residency to vote for president.

Testimony Against: None.

Who Testified: PRO: Senator Carrell, prime sponsor; Katie Blinn, Office of the Secretary of State.