

**Student Mock Election  
Ends November 4**

**Constitutional  
Amendment  
Edition**

# VOTERS' PAMPHLET

Washington State Elections

Color your cover!



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**WASHINGTON**  
Secretary of State  
Elections Division

**2025**  
**#FutureVoter**



Welcome to your 2025 Student Mock Election Voters' Pamphlet!

The Student Mock Election is a nonpartisan event that helps teach you about the elections process and how to become an informed voter. You'll vote on issues that may be important to you.

In a real election, your ballot will include items based on where you live. From national, statewide, and local positions to tax levies, initiatives, and referenda, selecting elected officials and voting on critical issues are decisions that impact your daily life and therefore require an informed decision.

We created this Student Mock Election with constitutional amendments both past and present. This Voters' Pamphlet will provide you with information to help you vote your ballot, including explanations of each issue, the impact each would have, and arguments for and against just like the actual Voters' Pamphlets mailed statewide.

Please take time to read through this Voters' Pamphlet to learn about the issues you can decide on. If you discuss your opinion with other students, remember to be respectful of their choices. Then fill out your Student Mock Election ballot and return it as instructed to have your vote counted.

Voting is one of the greatest ways to make a difference in your community. To participate in real elections, adult Washington citizens must be registered to vote, which can be done online at **VoteWA.gov**, by mail, or in person. Voter registrations completed online or mailed must be received by Oct. 27. After that, they have until 8 p.m. on Nov. 4, Election Day, to register, vote, and return a ballot in person at a county elections office or voting center.

If you are at least 16 years old, you can sign up as a Future Voter and be automatically registered to vote when you qualify. Tell your friends that you've signed up by using #FutureVoter and tag the Office of the Secretary of State!

Thank you for your time and participation in this introduction to the political process. As an informed voter, you'll soon be able to make an impact in your community and our state by voting in every election!

Sincerely,

Steve Hobbs  
Secretary of State

### Is your school participating?

Scan to see if your school is listed on the statewide Student Mock Election Dashboard!



**If not, ask your teacher to sign up!**

<https://www.sos.wa.gov/elections/k12map>

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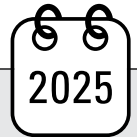
**Measures**

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**Deadlines**

Ballots mailed to voters by: October 17

Register by mail, received by: October 27

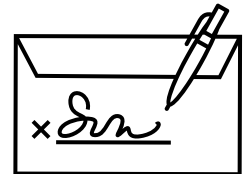
Register online by: October 27

Register in person by: November 4, 8 p.m.

Election Day: November 4

**Voter tip:**

Remember to sign  
and date your ballot  
return envelope. Your  
signature is important,  
and we need it to  
accept your ballot.



**What if I'm not 18 yet?**



**If you are 16 or 17, become a Future Voter!**

**# Future  
# Voter**

Sign up online at **VoteWA.gov** with your Washington state driver's license, permit, ID, or the last four digits of your Social Security number. You'll be automatically registered to vote when you qualify.

Every January on Temperance and Good Citizenship Day, high school students 16 and older have the opportunity to complete a voter registration form in class.

## How do I register to vote?

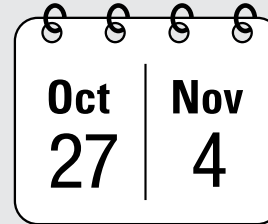
**Online:** Register at **VoteWA.gov**.

**By mail:** Request a paper form be mailed to you or print your own at **sos.wa.gov/elections**.

No internet access? Call 1 (800) 448-4881.

**In person:** Visit a county elections office (listed at the end of this pamphlet).

## Registration deadlines



**By mail or online:**

Your application must be received no later than October 27.

**In person:** Visit a

local voting center no later than 8 p.m. on November 4.

Check your registration info at **VoteWA.gov**.

## Qualifications

To vote, you must be at least 18 years old, a U.S. citizen, a resident of Washington, and not currently serving a sentence of total confinement in prison for a felony.



## What if I'm not 18 yet?

**If you are 16 or 17, become a Future Voter!**

Sign up with your Washington state driver's license, permit, ID, or the last four digits of your Social Security number. You'll be automatically registered to vote when you qualify.

**# Future Voter**

## Past felony conviction?

Get registered to vote.

Washington now restores voting rights to citizens with felony convictions immediately upon release from prison.

You must **re-register** to vote to receive a ballot.



## Moved? Update your voting address

Contact a county elections office to request a ballot at your new address.

**By October 27:** Have your application received by mail or updated online.

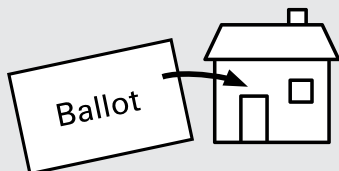
**Or**

**By November 4:** Visit a local voting center in person.



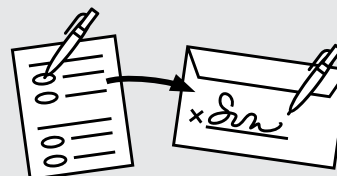
1

If you're registered to vote, there is no need to request a ballot. Your ballot will be mailed by **October 17** to the address you provided on your voter registration. If you need a replacement ballot, contact a county elections office listed at the end of this pamphlet.



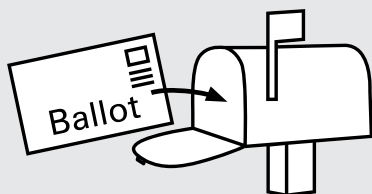
2

Vote your ballot and sign your return envelope. We need your signature to accept your ballot. You are not required to vote every race on your ballot. We encourage using this pamphlet to help you decide.

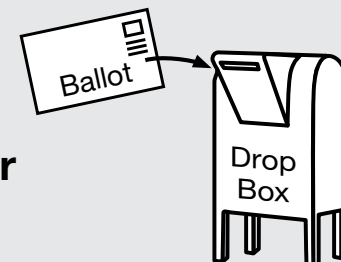


3

Return your ballot by mail, no stamp needed. If mailed, your ballot must be postmarked by **November 4**. Don't let a late postmark disqualify your ballot. The USPS recommends that you mail a week before Election Day.



Or



Or, return your ballot to an official ballot drop box. Drop boxes are open until 8 p.m. on **November 4**. Find drop box locations at **VoteWA.gov**.



If you cannot personally return your ballot, only let people you trust deliver it for you.

4

Check the status of your ballot on **VoteWA.gov** to see if it has been received by your county elections office.



Election staff will contact you before your ballot is processed if:

- Your signature is missing
- Your signature doesn't match your voter registration record

## View election results online

After 8 p.m. on election night, tallied results from each county are posted at **results.vote.wa.gov**.

Results are updated as counties report and are unofficial until certification.

## Your signature is needed to make sure your ballot gets counted.

The signature on your return envelope is compared to the signature on your voter registration record. Trained election officials are responsible for verifying each and every signature.

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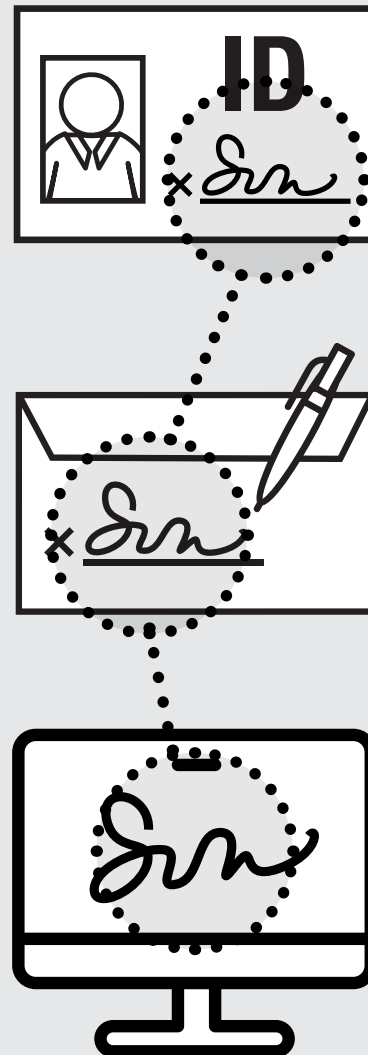
If your signature is missing or does not match your voter registration record, the county elections office will contact you by mail **before results are certified**. They may call or email if you gave them this info.

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If you registered to vote online or through Department of Licensing, the signature from your driver's license, permit, or state ID will be on your voter registration record.

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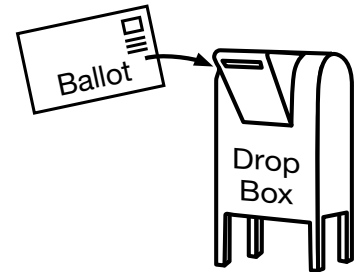
Voters can track and check their ballot status at **VoteWA.gov**.



1

## Your county receives your ballot

Deposit your ballot in an official drop box by 8 p.m. on Election Day, or return your ballot by mail — postage paid — but make sure it's postmarked by Election Day! Don't let a late postmark disqualify your ballot. The USPS recommends that you mail it back at least one week before Election Day.



Election staff will contact you before your ballot is processed if:

- Your signature is missing
- Your signature doesn't match your voter registration record

2

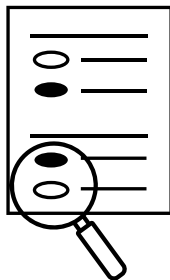
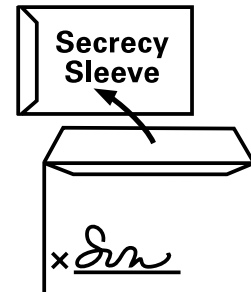
## Your signature is verified

Your signature is important and we need it to accept your ballot. The signature on your return envelope is compared to the signature on your voter registration record. If the signature matches, your ballot is accepted and you are credited for voting to ensure **only one** ballot is counted for you.

3

## Envelopes and sleeves are separated

The return envelope is opened and the secrecy sleeve containing your ballot is removed. They are separated to ensure the secrecy of your vote.



4

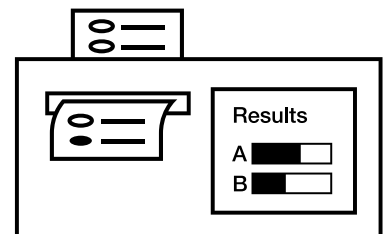
## Your ballot is reviewed and scanned

The ballot is removed from the secrecy sleeve and election staff verify that it can be successfully scanned. Each voting system is certified and tested before every election.

5

## Your ballot is counted

After 8 p.m. on Election Day all scanned ballots are tallied. Ballots will be scanned and tallied over the next several days until all the votes are counted. Every county conducts a post-election audit.



## Before an Election

### Voting systems certification and testing



Ballot counting equipment is tested and certified by an independent testing authority and the State of Washington.

Voting systems are not connected to the internet.

### Pre-election audit: logic & accuracy tests

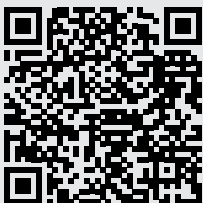
Before every election, counties test their voting systems to make sure the machines are correctly set up and accurately counting votes.

### Voter registration database

Washington's statewide voter registration database is constantly maintained and updated as voters become registered, move, change their name, pass away, or are no longer eligible to vote.

All eligible voters are automatically mailed ballots. Only one ballot per voter is accepted.

### Contact your local county elections office to learn more



[sos.wa.gov/county-elections-offices](https://sos.wa.gov/county-elections-offices)

## During an Election

### Paper ballots



Voting on paper ballots allows election officials to audit results of an election after votes are counted.

### Signature verification

Trained election officials compare your signature to your voter registration file to confirm your identity and eligibility.

If your signature is missing or doesn't match, your ballot is "Challenged" and you are notified.

Once your signature is verified, your ballot status will update to "Accepted".

### VoteWA

Check the status of your ballot at [VoteWA.gov](https://VoteWA.gov). Once your ballot status is updated to "Accepted," your ballot will be opened and scanned. Only one ballot per voter is accepted.

### Chain of custody

Ballots are sealed in secure, tamper-evident containers and at least two staff are present whenever your ballot is handled.

### Scanning and tabulation

Ballot scanners and vote counting machines are physically secured in locked rooms. Election staff sign in and out each time the room is opened, and always in groups of two or more.

## After an Election

### Random batch audits



Your local election officials hand count randomly selected precincts or ballot batches and compare those numbers to the voting system totals to make sure the vote counting machines counted correctly.

### Random ballot audits

Your local election officials examine a statistically significant, randomly selected sample of ballots to help ensure the reported outcome is correct.

### Full ballot reconciliation

Your local election officials keep detailed records of the steps taken to process each ballot or group of ballots, creating an audit trail.

A final report at the end of the process includes a summary of the ballots received and counted.



## What does this mean?

**Certification Day**

The date when election results are finalized by state or county officials.

**Logic and Accuracy Test**

A test completed before each election to ensure the accuracy of voting equipment.

**Nonpartisan Office**

An elected position in which candidates do not state a political party preference and candidates for the office are not officially associated with a political group. Office appears on the ballot as “Nonpartisan.”

**Partisan Office**

An elected position in which candidates may state their preferred political party. A candidate may also choose “States No Party Preference.” Their preference is printed on the ballot.

**Postmark**

A postmark indicates the location and date the Postal Service accepted custody of a ballot. Ballots must be postmarked by Election Day to be accepted. Placing your ballot in a mailbox on Election Day does not guarantee a postmark of the same day.

**Post-election Audit**

A test completed before the certification of results to ensure the security and accuracy of the voting system. Counties perform a post-election audit each election.

**Term Type**

How much of a term a candidate will be serving for an office. It is split into regular, unexpired, and short-and-full.

**Voter Registration Database**

The official list of registered voters maintained in every state to conduct safe and secure elections. Our database in Washington is known as VoteWA.

**Voting Center**

A county-run facility where you can receive voting assistance from trained elections staff. Some services include registering or updating voter information, requesting and returning a ballot, or finding an accessible voting unit.

**Voting System**

Ballot counting equipment that must be tested by an independent testing authority and certified by the state of Washington before it can be used.

Senate Joint Resolution No.  
**8201**

The legislature has proposed a constitutional amendment on allowing money in Washington’s long-term care fund to be invested.

This amendment would allow the state fund dedicated to providing long-term care benefits for eligible seniors and people with disabilities to be invested as authorized by law.

Should this constitutional amendment be:

☐ Approved

☐ Rejected


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**Arguments For and Against . . . . . 12**

**Final Votes Cast by the Legislature**

Senate: Yeas, 42; Nays, 7; Absent, 0; Excused, 0

House: Yeas, 86; Nays, 9; Absent, 0; Excused, 3



The Secretary of State is not responsible for the content of statements or arguments (WAC 434-381-180).

Explanatory Statement

Written by the Office of the Attorney General

The Law As It Presently Exists

The Washington Constitution generally prohibits investing public money in stocks of private companies. This means that state funds can only be invested in fixed-income securities, such as government and corporate bonds and certificates of deposit.

The Constitution currently exempts several funds from this restriction. This exemption applies to any public pension or retirement fund, workers’ compensation funds, and money held in trust for the benefit of people with developmental disabilities, permitting those funds to be invested as authorized by law, including in stocks of private companies. The Washington State Investment Board invests and manages these funds.

In 2019, the legislature created a long-term care insurance program. The program provides money to pay for certain long-term care services, such as nursing home care, to program beneficiaries who need assistance with daily living. Under that law, employees pay premiums for long-term care insurance through a payroll deduction, and those premiums are deposited into a Long-Term Services and Supports Trust Account. Under the current provision of the Constitution, money held in the Trust Account cannot be invested in stocks of private companies.

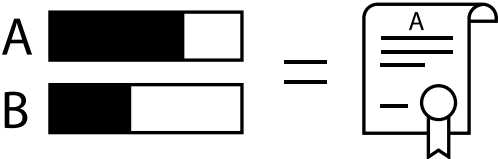
The Effect of the Proposed Amendment if Approved

This Amendment would allow funds in the Long-Term Services and Supports Trust Account to be invested in stocks of private companies, if authorized by law. Investment income from the Trust Account could only be used for long-term care services and supports for program beneficiaries, including for seniors and people with disabilities.

Fiscal Impact Statement

Not required by law

Constitutional amendments become law if more than 50% of voters approve.



## Argument for

### Approve 8201 to guarantee long-term care funds are there when we need them

8201 requires 100% of investment income earned by the state's Long-Term Care Trust Fund to be spent on long-term care services for vulnerable seniors and disabled people. Washingtonians want to live with dignity as they age. 8201 supports this shared goal, strengthening the benefit's Trust Fund to help seniors and disabled Washingtonians while protecting taxpayers.

### 8201 is a commonsense measure that ensures tax dollars go further

Current law limits investment of the Trust Fund to only low-return choices, like government bonds and savings certificates. 8201 allows the Trust Fund to be invested to produce higher returns. This proven method would be managed by the independent, nonpartisan Washington State Investment Board, which is bound by the highest fiduciary standards.

### Approve 8201 to increase funding without impacting taxpayers

8201 is projected to grow the Trust Fund by \$67 billion over the next 50 years, money that can be used to increase benefits for people with disabilities and seniors without costing taxpayers a penny. Higher earnings mean more money for care – good for seniors, disabled Washingtonians, their families, and taxpayers!

### 8201 has overwhelming bipartisan support across the political spectrum

It's encouraging when leaders of both parties agree on something – and a supermajority of Democratic and Republican lawmakers approved this commonsense approach. 8201 is supported by nurses, unions, businesses, and groups representing millions of Washingtonian seniors and people with pre-existing conditions. More: [Approve8201.org](https://www.approve8201.org) *Vote Approve!*

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## Rebuttal of argument against

Fact: Since 1981 the independent Washington State Investment Board has *safely and effectively* managed over \$200 billion for pensions, college savings funds, and more, with an average growth rate of 8% yearly. We must ensure our Long-Term Care Trust Fund grows to *keep up with rising costs while protecting taxpayers*. A bipartisan supermajority of lawmakers approved this measure. *Approve 8201* so WA's Trust Fund is *there for aging seniors and people with disabilities*.

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## Written by

**Justin Gill**, APRN, RN, President of Washington State Nurses Association; **Bob Ferguson**, Governor, Democrat; **John Braun**, State Senator, Minority Leader, Republican; **Carma Matti-Jackson**, CEO, Washington Health Care Association; **Cathy Knight**, State Director, WA Association Area Agencies on Aging; **Dani Rice**, Caregiver for People with Autism and Down's Syndrome

**Contact:** (206) 451-7139; [Ana@approve8201.org](mailto:Ana@approve8201.org); [Approve8201.org](https://www.approve8201.org)

## Argument against

### Reject this constitutional change, *again*.

Washington voters already rejected this proposal to take taxpayer money and invest in private stocks and corporations (2020, SJR8212). Our state founders protected public funds from risky investments by establishing safeguards in our state Constitution prohibiting corporate stock market investments of your tax dollars.

### Reject constitutional changes that gamble your money in an unstable market.

SJR 8201 overturns safeguards for the Long Term Services and Support (LTSS) fund, a multibillion dollar program established in 2020. Washingtonians are not yet eligible to access program benefits but proponents are *again* asking you to remove a key Constitutional protection. Currently, it's safeguarded in *secured* investments like federal, state and municipal bonds, which support our communities -- *a better use of our tax dollars*. Stock markets and private investments fluctuate greatly, *with no guarantees*, and the benefit needs are unknown in this untested program. This LTSS fund exists to help Washingtonians access long term care as we age or face disability. *When market speculation falls short, taxpayers and beneficiaries would pay the price through reduced benefits or increased taxes*.

### Rejecting constitutional changes provide more stability and certainty.

Continuing to invest our public money into federal, state and municipal bonds supports public works that we all depend on. Rejecting SJR 8201 provides for better planning and stability.

### Reject SJR 8201

Our state and LTSS need fiscal responsibility, not financial roulette. Reject SJR 8201 to keep the fund secure, stable, and focused on serving the people who will depend on it.

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## Rebuttal of argument for

Proponents imply a guaranteed return of \$\$billions over 50 years but of course, that's not guaranteed. In 2008 the State Investment Board lost -26.2% and 2022 lost -12.9%. It's how the stock market works. In future recessions or market crashes, when returns fall short, benefits must be cut or tax rates must go up. Compared to *guaranteed* municipal bond returns of 3-5%, the choice is clear. Invest in ourselves, not Wall Street. *Reject SJR 8201*.

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## Written by

**Bob Hasegawa**, State Senator, Democrat, 11<sup>th</sup> District; **Peter Abbarno**, State Representative, Republican, 20<sup>th</sup> District; **Mark Schoesler**, State Senator, Republican, 9<sup>th</sup> District; **Joe Schmick**, State Representative, Republican, 9<sup>th</sup> District

**Contact:** (360) 786-7616; [bob.hasegawa@leg.wa.gov](mailto:bob.hasegawa@leg.wa.gov)



### How do I read measure text?

Language in double parentheses with a line through it is existing state law; it will be taken out of the law if this measure is approved by voters.

~~((sample of text to be deleted))~~

Underlined language does not appear in current state law but will be added to the law if this measure is approved by voters.

sample of text to be added

## Complete Text

### Senate Joint Resolution No. 8201

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 the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article XXIX, section 1 of the Constitution of the state of Washington to read as follows:

Article XXIX, section 1. Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund, industrial insurance trust fund, ~~((or))~~ fund held in trust for the benefit of persons with developmental disabilities, or fund to provide for long-term care services and supports for eligible seniors and

people with disabilities may be invested as authorized by law. Investment income from a fund to provide for long-term care services and supports for eligible seniors and people with disabilities is dedicated to long-term services and supports for program beneficiaries.

BE IT FURTHER RESOLVED, That this amendment is a single amendment within the meaning of Article XXIII, section 1 of the state Constitution.

The legislature finds that the changes contained in this amendment constitute a single integrated plan for the fund to provide long-term care services and supports for eligible seniors and people with disabilities. If this amendment is held to be separate amendments, this joint resolution is void in its entirety and is of no further force and effect.

BE IT FURTHER RESOLVED, That the legislature, pursuant to its authority under RCW 29A.36.020(3), specifies the ballot title and concise description shall read "The legislature has proposed a constitutional amendment on allowing money in Washington's long-term care fund to be invested. This amendment would allow the state fund dedicated to providing long-term care benefits for eligible seniors and people with disabilities to be invested as authorized by law.

Should this constitutional amendment be:

Approved.....

Rejected ....."

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

--- END ---

## If I am a victim of a crime, can I vote safely?

### Keep your voting address confidential

You may be able to enroll in the Address Confidentiality Program (ACP) and register as a Protected Records Voter if you are:

- A survivor of domestic violence, sexual assault, trafficking, stalking; or
- A criminal justice participant, election official, or protected health care worker who is a target for harassment.

To become a Protected Records Voter:

- You meet with a Certified Advocate who can assist with threat assessment, safety planning, and the program application.
- The best time to enroll is when you move or are planning to move to a location that is unknown to the offender and undocumented in public record.

Call 1 (800) 822-1065 or visit [sos.wa.gov/acp](https://sos.wa.gov/acp).





# Proposed Constitutional Amendment (1962)

\*OFFICIAL BALLOT TITLE

SENATE JOINT RESOLUTION NO. 9

## VOTERS' PAMPHLET—PUBLICATION AND DISTRIBUTION

Shall Article II, Section 1, Amendment 7 of the State Constitution which presently directs the Secretary of State to send each registered voter a copy of the voters' pamphlet (a publication containing the laws and constitutional amendments referred to the people together with arguments for and against each measure) be amended so as to require only mailing to each individual place of residence, together with such other distribution as the Secretary of State deems necessary?

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

Vote cast by 1961 Legislature on final passage of Senate Joint Resolution No. 9: STATE SENATE: 49 Members—44 Yeas; 1 Nay; 4 Absent or not voting. HOUSE OF REPRESENTATIVES: 99 Members—88 Yeas; 1 Nay; 10 Absent or not voting.

## OFFICIAL ARGUMENT **FOR** SENATE JOINT RESOLUTION NO. 9

### **MORE VOTERS - BETTER INFORMED - AT LESS COST**

This voters' information pamphlet—which you are now reading—is mailed to each **registered voter** in the State of Washington. This is a constitutional requirement, designed to provide information on ballot issues for all voters. In principle, this is an excellent idea that should be continued.

However, the **method** of distribution is **wasteful** and **inefficient**.

Many voters have moved, and have not changed their registrations. Also, suburban development has caused many new street addresses to differ from long standing registration addresses.

The result is that some homes receive two voters' pamphlets, some receive four, some six, and some even eight! **Many receive none**, and many thousands of pamphlets must be destroyed by the Post Office Department that cannot be delivered.

This method of distribution ("one to each registered voter") is **wasteful, inefficient and unnecessary**.

SJR 9 would provide a **more fair, more efficient** and **less expensive** way to distribute the voters' pamphlets. It would require that **one** copy of the voters' pamphlet be mailed to each **residence** in the state, and that the Secretary of State make additional distribution as may be necessary to insure that every citizen has an opportunity to study the issues. For example, additional copies would be sent to nursing homes, retirement homes, etc.

If SJR 9 is approved by the voters, **everyone** will have a chance to study the voters' pamphlet before future elections. No pamphlets will be wasted. **The State will save tens of thousands of dollars** in printing, handling and mailing costs.

### **MORE VOTERS - BETTER INFORMED - AT LESS COST**

**VOTE "YES" ON S. J. R. No. 9**

COMMITTEE APPOINTED TO COMPOSE ARGUMENT **FOR** SENATE JOINT RESOLUTION NO. 9

MIKE McCORMACK  
State Senator  
2010 Everest  
Richland, Washington

SLADE GORTON  
State Representative  
1549 N.E. 102nd  
Seattle, Washington

MORT FRAYN, Chrm.  
Republican State Central Comm.  
4130 Arcade Bldg.  
Seattle, Washington

HERB LEGG, Chrm.  
Democratic State Central Comm.  
Governor Hotel  
Olympia, Washington

**EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW**

**The Law As It Now Exists:**

Presently, our State Constitution requires the Secretary of State to send one copy of the voters' pamphlet to each registered voter.

**Effect of Senate Joint Resolution No. 9 If Approved Into Law:**

The proposed constitutional amendment requires the Secretary of State to send one copy of the voters' pamphlet to each individual place of residence (instead of to each registered voter) and further requires that he make whatever additional distribution he deems reasonably necessary to provide each registered voter an opportunity to study such pamphlet.

**NOTE:** Complete text of Senate Joint Resolution No. 9 starts on Page 42.

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**OFFICIAL ARGUMENT AGAINST SENATE JOINT RESOLUTION NO. 9**

The constitutional provision that **each** registered voter be mailed a copy of the Voters' Pamphlet should **not** be changed. The obvious intention of our state constitution is to be certain that all qualified electors be given the opportunity to be informed voters so that they can vote intelligently on state measures.

This amendment would limit the mailing of the Voters' Pamphlet to each place of residence. As a consequence, many voters residing in apartments, rest homes, rooming houses, etc., would have no assurance of receiving copies. The complaint that certain households may now receive multiple copies is not the fault of this constitutional provision. The fault lies with voters neglecting to keep their registration records current when they change residences.

If remedial legislation is justified, it should be directed toward strengthening the laws relating to registration and **not** changing the constitution as proposed in this amendment.

**Certainly it is far better to over-distribute the Voters' Pamphlet than to create a situation whereby a substantial segment of our voters may be completely overlooked.**

<b>VOTE "NO" ON SENATE JOINT RESOLUTION No. 9</b>
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COMMITTEE APPOINTED TO COMPOSE ARGUMENT **AGAINST** SENATE JOINT RESOLUTION NO. 9

ALBERT C. THOMPSON, JR.  
State Senator  
250 Bellevue Square  
Bellevue, Washington

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State Representative  
509 N. Yakima  
Tacoma, Washington



NOTE: New special toll-free telephone service offered to voters requesting in-depth information on state measures. See page 5 for details.

## Sex equality—Rights and responsibilities

Shall a new article be added to the state constitution to provide that equality of rights and responsibilities under the law shall not be denied or abridged on account of sex, and to authorize the legislature to enforce this provision by the enactment of appropriate legislation?

Vote cast by members of the 1972 Legislature on final passage:

HOUSE:—(99 members) Yeas, 96; Nays, 3; Absent or not voting, 0.

SENATE:—(49 members) Yeas, 36; Nays, 13; Absent or not voting, 0.

## Statement for

### What is the Basic Principle of the Era?

It is that both sexes be treated equally under the law. The State could not pass or enforce any law which places a legal obligation, or confers a special legal privilege on one sex but not the other.

### How Would It Affect Our State Laws?

Laws which render benefits to one sex could in most cases be retained, and extended to everyone. Laws which restrict and deny rights to one sex would be eliminated. Special labor laws originally enacted to protect women, but which now have the effect of handicapping them when they compete in the labor force would be dropped. (Regulations, now reserved only for women, which are determined to be of general human benefit could be extended to everyone.) Present laws which allow discrimination in the extension of credit, the issuance of insurance, and granting of mortgages solely on the basis of sex could be successfully challenged. Educational requirements based on sex would either be eliminated or applied to both sexes.

### Does This Mean an End to All Sexually Segregated Facilities?

No. Supreme Court decisions guarantee the right to privacy in situations involving sleeping, disrobing, or performing bodily functions. For example, restrooms, hospital wards and lingerie departments could remain segregated.

### What will the Era do to Family Life?

It will have no effect on private life. The amendment is only concerned with what happens "under the law". Custody and child support would no longer be based essentially on sex but on a spouse's ability to provide a proper environment and financial support.

### Is This a Women's Rights Amendment?

No, nor does it protect just a minority. It protects the rights of all persons not to have the law discriminate against them solely on the basis of sex.

*Committee appointed to compose statement FOR House Joint Resolution No. 61:*

PETER D. FRANCIS, State Senator; LOIS NORTH, State Representative; and A. J. PARDINI, State Representative.

*Advisory Committee:* MRS. R. E. MARCHISIO, President League of Women Voters of Washington; W. J. OLWELL, President Retail Clerks 1001; GLADYS BURNS, President American Association of University Women in Washington State; REV. EVERETT J. JENSEN, General Secretary, Washington State Council of Churches; and BETTY B. FLETCHER, President Seattle-King County Bar Association.



## The Law as it now exists:

Both the present federal and state constitutions contain general prohibitions (commonly referred to as "equal protection" clauses) against governmental actions which discriminate among persons or classes of persons without a reasonable basis. It is presently permissible under these provisions, in some instances, to base legal classifications of persons solely upon sex; for example, laws applicable to women only which limit the maximum number of hours per day which may be worked in certain industries have been held by the courts to be constitutional. The only area in which there is now an explicit constitutional prohibition against the legal classification of persons solely on the basis of sex is that of voting, under the 19th Amendment to the United States Constitution (women's suffrage) which was adopted in 1920.

## Effect of HJR No. 61 if approved into Law:

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This proposed amendment would add to the Washington State Constitution the principle that sex is not a permissible factor to be considered in determining the legal rights or responsibilities of women or of men. The amendment would apply to acts done under authority of law, but not to the private conduct of persons. Thus, state and local government could not treat persons differently because they are of one sex or the other. Individual persons acting in their private capacities would, however, not be prohibited by the amendment from making distinctions and expressing preferences between other persons because of their sex.

*NOTE: Ballot title and the above explanatory comment were written by the Attorney General as required by state law. Complete text of House Joint Resolution No. 61 starts on Page 107.*

## Statement against

There is widespread agreement on granting equal rights, status and opportunity to women in areas where they do not now exist. Women should have equal employment opportunity, equal pay for equal work, and equal credit consideration. The controversy arises in how these can best be realized without destroying certain preferential treatment rightfully extended to women.

HJR 61 is a constitutional amendment requiring that NO distinction be made between men and women. This is the wrong solution, going far beyond the intent of the sponsors. Needed changes should be made by law, not by a broad over-reaching constitutional amendment.

Passage of HJR 61 would remove all preferential consideration presently extended to women in our society. A vast legal framework of distinction between the sexes has been built up through the years; this must be carefully modified to preserve what is good and proper while eliminating that which is unfair or unwise. HJR 61 would destroy it wholesale and result in legal chaos.

HJR 61 would establish rules in our society which were not intended and which the citizenry simply could not support. Examples are numerous:

(1) Preferential insurance rates for women would be eliminated—auto insurance, health and accident benefits, life insurance;

(2) Women can and should participate in sports; however, it is absolutely ridiculous to have girls compete with boys on the high school wrestling team. Under HJR 61, segregation of men and women in athletic participation would be unconstitutional;

(3) Homosexual and lesbian marriage would be legalized, with further complication regarding adopting children into such a "family". People will live as they choose, but the beauty and sanctity of marriage must be preserved from such needless desecration;

(4) Divorce settlements, governmental aid to mothers of dependent children, dependency allowances to service personnel could no longer offer preferential treatment to women;

(5) At the national level this amendment would allow *no distinction whatever* between the sexes regarding the draft, barracks life, and *including actual combat duty*.

The logical and needed granting of full rights for women must be achieved, but without the chaos and somewhat bizarre results of HJR 61.



# SENATE JOINT RESOLUTION 8212

Proposed to the People by the Legislature  
Amendment to the State Constitution

**(2007)**

## *Official Ballot Title:*

The legislature has proposed a constitutional amendment on inmate labor.

This amendment would authorize state-operated inmate labor programs and programs in which inmate labor is used by private entities through state contracts, and prohibit privately operated programs from unfairly competing with Washington businesses.

Should this constitutional amendment be:

Approved [ ] Rejected [ ]

### **Votes cast by the 2007 Legislature on final passage:**

Senate: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

House: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

**Note:** The Official Ballot Title and Explanatory Statement were written by the Attorney General as required by law. The complete text of Senate Joint Resolution 8212 begins on page 31.

## *Explanatory Statement*

### **The constitutional provision as it presently exists:**

Article II, section 29, of the State Constitution currently requires the legislature to “provide for the working of convicts for the benefit of the state.” The same section also provides that the labor of convicts “shall not be let out by contract” to private persons or entities. The State Supreme Court has construed this provision to permit state-run labor programs in prisons, but to prohibit the state from contracting with private for-profit or nonprofit entities to operate inmate labor programs in which inmates provide labor for the private entity.

Under current law, therefore, the state is required to provide for inmate labor for the benefit of the state, but the legislature may do so only through programs operated by the state. The legislature is prohibited from authorizing inmate labor programs under which private businesses or other private entities make use of inmate labor, operating through contracts with the state.

### **The effect of the proposed amendment, if it is approved:**

If enacted, this amendment would authorize the legislature to provide for inmate labor programs operated directly by the state, and for programs under which private businesses or other private entities operate in a correctional facility, making use of inmate labor through contracts with the state. The amendment would provide that inmate labor programs operated by private entities shall not unfairly compete with Washington business, as determined by law. The term “convicts” would be changed to “inmates” in this provision.

If this amendment is enacted, the legislature would continue to be obligated to provide for inmate labor programs for the benefit of the state, but would be permitted to include programs established by contract with the state under which private entities use inmate labor, as well as programs operated directly by the state.



## ***Statement For SJR 8212***

We believe offenders should not just sit idle while they serve their time in state prison. They should work to reduce their burden on taxpayers by paying room and board, crime victim's compensation, court costs and any child support they might owe. One sure way to accomplish this is to allow private, for-profit or nonprofit businesses to employ offenders in our prisons, without putting the public's safety at risk.

Offenders working promotes safety both inside and outside our prisons. It keeps them busy while incarcerated. Work permitted under this constitutional amendment has been scientifically shown to reduce recidivism of offenders who are released. This will not only save taxpayers money but it will prevent future victimization. Reducing recidivism is at the heart of the bipartisan Offender Reentry Initiative signed into law this year.

The work allowed by this constitutional amendment had been available in our prisons, providing these benefits, for more than 20 years. In fact, in 2004, when legislation reauthorized and set new goals for Class I work, both business and labor agreed to noncompetition provisions in legislation, which the Legislature then enacted unanimously. But a technical Supreme Court ruling eliminated the work in 2004. This is why we are bringing this constitutional amendment to the public, to restore the benefits to the citizens of Washington this work can provide.

For more information, call (360) 457-2520.

### ***Rebuttal of Statement Against***

In addition to punishment, the most important purpose of our criminal justice system is to provide justice for victims. If SJR 8212 fails, victims will have to wait much longer, even decades, before receiving just compensation.

SJR 8212 requires that state law prevent unfair competition. Current law, enacted unanimously in 2004, already prohibits unfair competition, defines what unfair competition is and outlines detailed requirements that must be followed before any work will be approved.

#### ***Voters' Pamphlet Argument Prepared by:***

JIM HARGROVE, State Senator, 24<sup>th</sup> Legislative District; MIKE CARRELL, State Senator, 28<sup>th</sup> Legislative District; AL O'BRIEN, State Representative, 1<sup>st</sup> Legislative District; JERALITA "JERI" COSTA, former Washington State Senator; DONALD G. PIERCE, Executive Director, Washington Association, Sheriffs and Police Chiefs.

## ***Statement Against SJR 8212***

### **JUSTICE SYSTEM IS IN PLACE TO DISPENSE PUNISHMENT**

The criminal justice system is in place to dispense justice and punishment for crimes committed against society. While education and job training can prepare felons for a successful return to the community, it should not be to the detriment of law-abiding citizens competing for jobs or local businesses competing in the marketplace.

### **SJR 8212 TAKES JOBS FROM PRIVATE WORKERS**

Proposed positions for inmates incarcerated in state correctional facilities are highly desired labor positions. These jobs should go to private workers outside prison walls who choose to live according to the rules.

### **NO ASSURANCE PRIVATE WORKERS WON'T BE NEGATIVELY IMPACTED**

There are no guarantees SJR 8212 won't create unfair competition for Washington jobs and businesses. This is why unfair inmate labor was prohibited in the Constitution in the first place. SJR 8212 is a clear attempt to undo these constitutional protections for the workers and businesses of this state.

Government should create additional job opportunities for all Washingtonians, not focus a disproportionate share of its efforts on the inmate labor force.

SJR 8212 merely states that inmate labor programs may not unfairly compete with Washington businesses. It doesn't indicate how it will accomplish this goal. Without specific language in place outlining a clear plan, local businesses will be impacted by inmate work programs and law-abiding citizens seeking employment will be displaced by inmate laborers.

### **SJR 8212 IS UNNECESSARY**

Preparing felons to return to the community with job skills can be accomplished through existing vocational training and educational programs that provide inmates future employment opportunities while not unfairly competing with local businesses, wrongfully displacing local workers, and negatively impacting local economies.

### ***Rebuttal of Statement For***

Offenders shouldn't sit idle in prison. However, taking jobs from law-abiding citizens isn't the answer. Supporters of SJR 8212 say work inside prison reduces recidivism. But are recidivism rates lowered enough to amend our Constitution? There is no answer to this question. Government should never compete with business. SJR 8212 takes jobs from private workers and gives them to prisoners without any mechanism to monitor whether local businesses and workers are negatively impacted.

#### ***Voters' Pamphlet Argument Prepared by:***

LYNN SCHINDLER, State Representative, 4<sup>th</sup> Legislative District; LARRY CROUSE, State Representative, 4<sup>th</sup> Legislative District.

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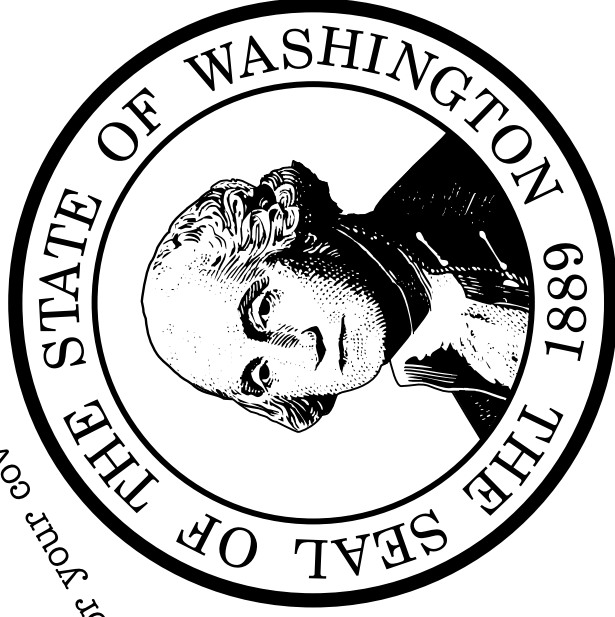
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