

CHAPTER 181.

[S. B. 300.]

CONVENTION TO ACT UPON PROPOSED AMENDMENTS
TO CONSTITUTION.

AN ACT relating to and providing for the calling and holding of a convention to act upon and ratify or reject proposed amendment or repeals of amendments or other parts of the constitution of the United States; providing for the election of delegates to such conventions; providing for defraying of the expenses of such election and convention; and making an appropriation and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Whenever the congress of the United States shall submit to the several states for ratification or rejection by convention a proposed amendment to the constitution of the United States, it shall be the duty of the governor within thirty days after the date of receipt of official notice of such congressional action to issue a proclamation fixing a time for holding the convention to vote upon and ratify or reject such proposed amendment and fix a time for holding an election to elect delegates to such convention. The convention shall be held in the chambers of the house of representatives in the state capitol or in some other suitable place in the state capitol selected by the governor. The date for holding the convention shall not be less than five nor more than eight months from the date of the first publication of the proclamation as herein-after provided and the convention shall be held not less than one month nor more than six weeks from the date of the election. The proclamation shall be published once each week for two successive weeks in one newspaper published and of general circulation in each of the congressional districts of the state. The first publication of the proclamation shall be within thirty days of the receipt of

Amendment
to constitu-
tion of U. S.

Convention :

Place of.

Date of.

Proclama-
tion of.

official notice by the state of the submission to it of the amendment.

Delegates to.

SEC. 2. Each state representative district shall be entitled to as many delegates in the convention as it has members in the house of representatives of the state legislature. No person shall be qualified to act as a delegate in said convention who does not possess the same qualifications required of representatives in the state legislature from the same district.

Candidate for.

SEC. 3. Anyone desiring to file as a candidate for election as a delegate to said convention shall, not less than thirty nor more than sixty days prior to the date fixed for holding the election, file his declaration of candidacy with the secretary of state.

Filing.

Filings shall be made on a form to be prescribed by the secretary of state and shall include a sworn statement of the candidate that he is either for or against, as the case may be, the amendment which will be submitted to a vote of the convention and that he will, if elected as a delegate, vote in accordance with his declaration. The form shall be so

Form.

worded that the candidate must give a plain unequivocal statement of his views as either for or against the proposal upon which he will, if elected, be called upon to vote. No candidate shall in any such filing make any statement or declaration as to his party politics or political faith or beliefs. The fee for filing as a candidate shall be ten dollars (\$10.00) and shall be transmitted to the secretary of state with the filing papers and be by the secretary of state transmitted to the state treasurer for the use of the general fund.

Fee.

Election.

SEC. 4. The election herein provided for shall as far as practicable be called, held and conducted except as herein otherwise provided, in the same manner as a general election under the election

laws of this state. The ballots shall follow the form Ballot. prescribed by general law except as herein otherwise provided. The ballot shall be headed "Delegate to Convention for Ratification or Rejection of Proposed Amendment to the United States Constitution, Relating..... (stating briefly the substance of amendment proposed for adoption or rejection)." The names of all candidates who have filed for a district shall be printed on the ballots for that district in two separate groups. In one group under the heading, "For the Amendment" shall be printed in alphabetical order of their surnames, the names of all candidates, who in their filed declaration of candidacy have declared themselves to be in favor of the amendment; and in the other group under the heading, "Against the Amendment" shall be printed in alphabetical order of their surnames, the names of all candidates, who in their filed declaration of candidacy have declared themselves to be against the amendment. The wording of the headings for the two groups may be varied from that prescribed above if the nature of the proposal submitted by congress requires a different heading in order to clearly and briefly express the attitude of the candidates as disclosed in their declarations of candidacy. One of said groups shall occupy the left, and the other the right, column on said ballot. At the top of the ballot preceding the list of names shall be the statement, "Vote For" then the word, "two" of [or] a spelled number designating the number of delegates to which the district is entitled, and "To vote for a person, make a cross (X) in the square at the right of the name of each person for whom you desire to vote."

SEC. 5. Every person possessing the qualifica- Voter. tions entitling him to vote at an election for state representatives, if held on the same date as an

election herein provided for, shall be entitled to vote at said election.

Returns.

SEC. 6. The election officials shall count and determine the number of votes cast for each individual; and shall also count and determine the aggregate number of votes cast for all candidates whose names appear under each of the respective headings. Where more than the required number have been voted for, the ballot shall be rejected. The figures determined by the various counts shall be entered in the poll books of the respective precincts. The vote shall be canvassed in each county by the county canvassing board and certificate of results shall within twelve days after the election be transmitted to the secretary of state. Upon receiving such certificate, the secretary of state shall have power to require returns or poll books from any county precinct to be forwarded for his examination.

Precincts of more than one county.

Where a district embraces precincts of more than one county, the secretary of state shall combine the votes from all the precincts included in each district. The delegates elected in each district shall be the number of candidates, corresponding to the number of state representatives from the district, who receive the highest number of votes in the group (either "For" or "Against"), which received an aggregate number of votes for all candidates in the group greater than the aggregate number of votes for all the candidates in the other group, and the secretary of state shall issue certificates of election to the delegates so elected.

Convention: meeting of.

SEC. 7. The convention shall meet at the time and place fixed in the governor's proclamation. It shall be called to order by the secretary of state, who shall then call the roll of the delegates and preside over the convention until its president is elected. The oath of office shall then be adminis-

tered to the delegates by the chief justice of the supreme court. As far as practicable, the convention shall proceed under the rules adopted by the last preceding session of the state senate. The convention shall elect a president and a secretary and shall thereafter and thereupon proceed to vote viva voce upon the proposition submitted by the congress of the United States. The vote of each member shall be recorded in the journal of the convention, which journal shall be preserved by the secretary of state as a public document.

Votes recorded.

SEC. 8. Two-thirds of the elected members of said convention shall constitute a quorum to do business, and a majority of those elected shall be sufficient to adopt or reject any proposition coming before the convention. If such majority vote in favor of the ratification of the amendment submitted to the convention, the said amendment shall be deemed ratified by the State of Washington; and if a majority shall vote in favor of rejecting or not ratifying the amendment, the same shall be deemed rejected by the State of Washington. The action of said convention shall be enrolled, signed by its president and secretary and filed with the secretary of state, and it shall be the duty of the secretary of state to properly certify the action of the convention to the congress of the United States as provided by general law.

Ratification.

Rejection.

SEC. 9. If a general state election is to be held within not more than six months nor less than three months of the date when the state is officially notified of the submission to it of the proposed amendment to the United States constitution, the election herein provided for shall be held on the date and as a part of general election and the proclamation of the governor herein provided for shall fix as the date of the election herein provided for the

As part of general election.

date fixed by the law for holding of such general election.

Compen-
sation.

SEC. 10. The delegates attending the convention shall be paid the amount of their filing fee, upon vouchers approved by the president and secretary of the convention and state warrants issued thereon and payable from the general fund of the state treasurer. The delegates shall receive no other compensation or mileage. All other necessary expenses of the convention shall be payable from the general fund of the state upon vouchers approved by the president and secretary of the convention.

Expenses.

Congres-
sional
measure
conflicting.

SEC. 11. If a congressional measure, which submits to the several states an amendment to the constitution of the United States for ratification or rejection, provides for or requires a different method of calling and holding conventions to ratify or reject said amendment, the requirements of said congressional measure shall be followed so far as they conflict with the provisions of this act.

Appropriation.

SEC. 12. There is hereby appropriated from the general fund the sum of three thousand dollars (\$3,000.00) or so much thereof as may be necessary for the purpose of paying the expenses of the conventions provided for in this act.

Effective
immediately.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Passed the Senate February 27, 1933.

Passed the House March 6, 1933.

Approved by the Governor March 20, 1933.