
HOUSE BILL 3130

State of Washington

55th Legislature

1998 Regular Session

By Representatives Tokuda, Van Luven, Ballasiotes, Skinner, Hankins, Grant, Kenney, Mason, Veloria, Fisher, Butler, Doumit, Dickerson, Regala, Conway, Wolfe, Ogden, Keiser, Cody, Linville, Morris, Cole, Scott, Anderson, Hatfield, Romero, Murray, Gardner, Eickmeyer, Kessler, Appelwick, Chopp, Poulsen, Cooper, Costa, Wood, O'Brien, Constantine, Quall and H. Sommers

Read first time 02/27/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to ensuring equal opportunity without quotas in
2 public employment, education, and contracting; adding a new section to
3 chapter 49.60 RCW; and providing for submission of this act to a vote
4 of the people.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.60 RCW
7 to read as follows:

8 (1) The state is prohibited from using quotas that require hiring
9 or selecting persons in public employment, education, and contracting,
10 based on race, sex, color, ethnicity, or national origin.

11 (2) For the purposes of this section, "quota" means a fixed number
12 or percentage that must be attained or cannot be exceeded, and that
13 violates the United States Constitution.

14 (3) For the purposes of this section, "state" means the state of
15 Washington, any city, county, public college or university, community
16 college, school district, special district, or other political
17 subdivision or governmental instrumentality of or within the state.

18 (4) No affirmative action program operated by the state may hire or
19 select unqualified persons.

1 (5) The state may ensure equal opportunity in public employment,
2 education, and contracting and prevent discrimination based on race,
3 sex, color, ethnicity, or national origin to the extent permissible
4 under the United States Constitution.

5 (6) Nothing in this section limits the ability of courts to correct
6 the effects of, or prevent, discrimination.

7 (7) Nothing in this section prohibits action reasonably taken to
8 ensure eligibility for any federal program, where ineligibility could
9 result in a loss of federal funds to the state.

10 NEW SECTION. **Sec. 2.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 3.** This act constitutes an alternative to
15 Initiative 200. The secretary of state shall place this act on the
16 ballot in conjunction with Initiative 200 at the next regular general
17 election.

--- END ---