

From: [Lane, Greg](#)
To: [OFM Budget](#)
Cc: [Neary, Mark](#)
Subject: FW: Contingency Planning for State Agency Operations
Date: Friday, May 05, 2017 3:29:20 PM
Attachments: [2015 Contingency Plan Letter.docx](#)

Attached is the letter submitted by the Office of the Secretary of State in 2015 for contingency planning of state operations and we see no changes to that plan necessary for 2017.

If you have additional questions or require more information, please let us know.

Sincerely,
Greg Lane

Greg Lane

Deputy Secretary of State

Washington Office of the Secretary of State
360.902.4141 (o)
360.890.1889 (c)

From: Marcus, Roselyn (OFM) [mailto:Roselyn.Marcus@OFM.WA.GOV]
Sent: Tuesday, April 25, 2017 1:24 PM
To: OFM dl Statewide Agency List <OFMdlStatewideAgencyList@ofm.wa.gov>; Blackmore, Laura (PSP) <laura.blackmore@psp.wa.gov>
Cc: Berman, Rick (PSP) <rick.berman@psp.wa.gov>; Sherrard, Nathan (OFM) <nathan.sherrard@ofm.wa.gov>; Thomas, Ralph (OFM) <Ralph.Thomas@OFM.WA.GOV>; Crawford, Jim (OFM) <Jim.Crawford@ofm.wa.gov>; Merriman, Scott (OFM) <scott.merriman@ofm.wa.gov>
Subject: FW: Contingency Planning for State Agency Operations

As you know, the Legislature adjourned the 2017 regular legislative session on April 23 without enacting an operating or capital budget for the 2017-19 biennium. Governor Inslee called lawmakers back for a special session, which began on April 24.

While we believe these budgets will be enacted before the new fiscal year begins, it is important that we begin the contingency planning process by first reviewing and updating the contingency plans that were previously submitted to OFM.

The attached memo was sent to all executive branch agency heads today from David. If you have any concerns, questions or issues, please let me know. I will provide additional information as the special session continues.

Roselyn Marcus
Assistant Director Legal & Legislative Affairs
Office of Financial Management
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Secretary of State

Tim Wyma

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June 15, 2015

David Schumacher
Director, Office of Financial Management
PO Box 43113
Olympia, WA 98504

Mr. Schumacher:

As requested, below is a list of Secretary of State operations that may be authorized in the absence of a 2015-17 General Fund Operating Budget appropriation being approved by July 1, 2015.

1. Services funded by appropriations in the enacted transportation budget.

The Office of the Secretary of State does not provide any services that are funded by the transportation budget.

2. Services from non-appropriated funds.

The Office of the Secretary of State will provide the following services that are funded through non-appropriated funds:

- a. The Corporations & Charities Division (Fund 407)
- b. Imaging Services within the Archives Division (Fund 470)

3. Services to continue based on constitutional mandates and federal law.

a. *Voter Registration Program*

The Secretary of State is the chief election officer for Washington for federal, state and local elections. 52 U.S.C. 20509; RCW 29A.04.230. The federal National Voter Registration Act and Help America Vote Act mandate that the chief election official for the state perform certain duties relating to voter registration that are time sensitive in early July, and cannot be suspended. These duties include accepting and processing voter registration applications, and maintaining the statewide voter registration database, and will require three staff to maintain basic functionality for a limited duration of time:

- i. The mandate to accept and process voter registrations received through the Department of Licensing (known as motor-voter), DSHS, Health Care Authority, Department of Health, Health Benefit Exchange, and the Department of Services for the Blind will require two staff positions, and the federal applications are codified at 52 U.S.C. §§ 20501-20511 and 52 U.S.C. §§ 20301-20311. The Secretary of State receives the voter registration applications and updates electronically and by paper, and forwards them to county elections offices immediately. The deadlines to register for the 2015 Primary online is July 6 and in person is July 27.

- ii. The mandate to maintain the statewide voter registration database, which is the official list of registered voters, is codified in 52 U.S.C. § 21083 and will require one staff position. This mandate includes a requirement that the statewide voter registration database interface with the state Department of Licensing, the Social Security Administration via the Department of Licensing, the state Department of Corrections, and the Department of Health. Other state election-related duties, also mandated by federal law, are less time sensitive in early July or can be suspended for a limited period of time.

b. *Initiative and Referendum Program*

The right of initiative and referendum is mandated by Wash. Const. Art. II, Sect. 1. This program will require one staff member to maintain basic functionality because the deadline to submit petitions for Initiatives to the People is July 2. Under the state constitution, any qualifying initiatives must be placed on the ballot for the 2015 general election, and the initiative must appear in the constitutionally required Voters' Pamphlet. Delay in the signature checking process would prevent compliance with these constitutional mandates. Thus, if signature petitions for an Initiative to the People are submitted, the program will need approximately 16 to 23 additional staff to check signatures on the petitions. Staff is also necessary to process filings for Initiatives to the Legislature and Referenda.

c. *State Voters' Pamphlet Production*

The requirement to send information about each state ballot measure to each residence in the state is mandated by Wash. Const. Art. II, Sec. 1(e). The requirement to provide election materials in alternate languages (Spanish, Chinese and Vietnamese) is mandated by the federal Voting Rights Act, 52 U.S.C. § 10503 et seq. Consequently, all ballot materials for the state voters' pamphlet are required by the State Constitution, and translation of those materials into alternate languages is required by federal law. The voters' pamphlet program can be suspended for approximately one week, but would then need to resume operations with one staff member in order to meet the State Constitutional and federal statutory mandates.

4. Services necessary for immediate public safety.

The Secretary will direct staff funded through non-appropriated funds to continue:

a. *Address Confidentiality Program*

The Address Confidentiality Program provides a confidential mailing address to victims of stalking, domestic violence, sexual assault and trafficking. The program is authorized by RCW Chapter 40.24. Because suspension of this program could threaten the safety of its participants, the Secretary of State is committed to continuing this program during a government shut-down. The current volume of mail received on a daily basis requires two staff positions to sort and forward.

Finally, support staff of two payroll employees, together working a total of 5 days per pay period, will be directed to process payroll twice per month.

If you have any questions, please don't hesitate to contact me at (360) 902-4141 or greg.lane@sos.wa.gov. Thank you.

Sincerely,

Greg Lane
Deputy Secretary of State