
SUBSTITUTE HOUSE JOINT RESOLUTION 4206

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Government Operations (originally sponsored by Representatives Benton, Kessler, Buck, Schoesler, Goldsmith, Sheahan, Dickerson, Mulliken and Boldt)

Read first time 03/01/95.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state there
4 shall be submitted to the qualified voters of the state for their
5 approval and ratification, or rejection, an amendment to Article II,
6 section 15 of the Constitution of the state of Washington to read as
7 follows:

8 Article II, section 15. (~~Such vacancies as may occur in either~~
9 ~~house of the legislature or~~) (1) A vacancy in any partisan county
10 elective office shall be filled (~~by appointment by the board of~~
11 ~~county commissioners of the county in which the vacancy occurs:~~
12 ~~Provided, That the person appointed to fill the vacancy must be from~~
13 ~~the same legislative district,~~) as follows:

14 (a) If the partisan county elective official whose office has been
15 vacated was elected as a member of a major political party, the vacancy
16 shall be filled by action of a majority of the precinct committee
17 officers of that party, who are elected to office at a general
18 election, in precincts located in the county or county commissioner
19 district (~~and the same political party as the legislator or partisan~~
20 ~~county elective officer whose office has been vacated, and shall be one~~
21 ~~of three persons who shall be nominated by the county central committee~~

1 of that party, and in case a majority of said county commissioners do
2 not agree upon the appointment within sixty days after the vacancy
3 occurs, the governor shall within thirty days thereafter, and from the
4 list of nominees provided for herein, appoint a person who shall be
5 from the same legislative district,)). The person who is appointed to
6 fill the vacancy must reside in and be a registered voter in the county
7 or county commissioner district ((and of the same political party as
8 the legislator or partisan county elective officer whose office has
9 been vacated, and the person so appointed)) as the partisan county
10 elective official whose office has been vacated and shall hold office
11 until ((his)) a successor is elected at the next general election((
12 and shall have qualified:— Provided, That in case of a vacancy
13 occurring in the office of joint senator, or joint representative, the
14 vacancy shall be filled from a list of three nominees selected by the
15 state central committee, by appointment by the joint action of the
16 boards of county commissioners of the counties composing the joint
17 senatorial or joint representative district, the person appointed to
18 fill the vacancy must be from the same legislative district and of the
19 same political party as the legislator whose office has been vacated,
20 and in case a majority of said county commissioners do not agree upon
21 the appointment within sixty days after the vacancy occurs, the
22 governor shall within thirty days thereafter, and from the list of
23 nominees provided for herein, appoint a person who shall be from the
24 same legislative district and of the same political party as the
25 legislator whose office has been vacated)) and qualifies for the
26 office. The authority to fill the vacancy under this subsection (1)(a)
27 shall be divested and the authority to fill the vacancy shall be made
28 under (b) of this subsection, if the precinct committee officers, who
29 are elected to office at a general election, fail to make the
30 appointment within sixty days after the vacancy occurred.

31 (b) In all other instances, the vacancy in partisan county elective
32 office shall be filled by appointment by the board of county
33 commissioners of that county. The person who is appointed must reside
34 in and be a registered voter in the county or commissioner district as
35 the partisan county elective official whose office has been vacated,
36 where applicable shall be of the same political party, and shall hold
37 office until a successor is elected at the next general election and
38 qualifies for the office. The board of county commissioners shall fill
39 the vacancy within sixty days after the vacancy occurred, or within

1 thirty days after the authority to fill the vacancy reverts from (a) of
2 this subsection.

3 (c) If the general election at which a person is elected to fill
4 the remainder of the term of office is the same election when the
5 county partisan elective office would normally be filled, a single
6 election shall be held and the person who is elected shall assume
7 office immediately when qualified and shall be elected to both the
8 remainder of the unexpired term of office and the new term of office.

9 (2) A vacancy in either house of the legislature shall be filled as
10 follows:

11 (a) If the legislator whose office has been vacated was elected as
12 a member of a major political party, the vacancy shall be filled by
13 action of a majority of the precinct committee officers of that party,
14 who are elected to office at a general election, in precincts located
15 in the legislative district. The person who is appointed to fill the
16 vacancy must reside in and be a registered voter in the same
17 legislative district as the legislator whose office has been vacated
18 and shall hold office until a successor is elected at the next general
19 election and qualifies for the office. The authority to fill the
20 vacancy under this subsection (2)(a) shall be divested and the
21 authority to fill the vacancy shall be made under (b) of this
22 subsection, if the precinct committee officers, who are elected to
23 office at a general election, fail to make the appointment within
24 thirty days after the vacancy occurred, if the vacancy occurred during
25 a regular legislative session, or within the shorter of thirty days
26 after the convening of a legislative session or sixty days after the
27 vacancy occurred, if the vacancy occurred before a regular legislative
28 session.

29 (b) In all other instances, the vacancy shall be filled by
30 appointment by the county legislative authority of the county in which
31 the legislative district is located. If the legislative district is
32 located in more than one county, then the vacancy shall be filled by
33 appointment by members of the county legislative authorities of the
34 counties in which the legislative district is located, with the vote
35 distributed among the members of the county legislative authorities so
36 that the combined vote of all the members of a single county
37 legislative authority is in direct proportion to the percentage of
38 population of the legislative district who reside in that county and
39 each member of that county legislative authority receiving an equal

1 portion of that combined vote. The person who is appointed must reside
2 in and be a registered voter in the same legislative district as the
3 legislator whose office has been vacated, where applicable shall be of
4 the same political party, and shall hold office until a successor is
5 elected at the next general election and qualifies for the office. The
6 county legislative authorities shall fill the vacancy within sixty days
7 after the vacancy occurred, or within thirty days after the authority
8 to fill the vacancy reverts from (a) of this subsection.

9 (c) If the general election at which a person is elected to fill
10 the remainder of the term of office is the same election when the
11 legislative office would normally be filled, a single election shall be
12 held and the person who is elected shall assume office immediately when
13 qualified and shall serve for both the remainder of the unexpired term
14 of office and the new term of office.

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

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