
SENATE BILL 6201

State of Washington

54th Legislature

1996 Regular Session

By Senators Haugen, Winsley, A. Anderson and McCaslin

Read first time 01/09/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the powers of initiative and referendum within
2 counties; and adding new sections to chapter 36.01 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.01 RCW
5 to read as follows:

6 The voters of each county may exercise within the county the powers
7 of initiative and referendum as provided in sections 1 through 3 of
8 this act. The powers of initiative and referendum as provided in
9 sections 1 through 3 of this act may not be used to alter or avoid
10 duties mandated by state law or state agency rule.

11 For any county with charter provisions concerning initiative and
12 referendum, the charter provisions shall control the operation of
13 initiative and referendum within the county.

14 Sections 1 through 3 of this act may not be construed to affect
15 special local referendum procedures provided in state law.

16 The county legislative authority shall by ordinance establish the
17 form of the initiative and referendum petitions and establish
18 procedures for the circulation and signing of petitions.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.01 RCW
2 to read as follows:

3 (1) Except as limited by section 1 of this act and this section,
4 any ordinance or amendment to an ordinance may be proposed by filing
5 with the county auditor an initiative petition. No ordinance enacted
6 as a result of initiative may be amended or repealed within two years
7 after enactment except as a result of a subsequent initiative or
8 referendum.

9 (2) Ordinances providing for the compensation or working conditions
10 of county employees, redistricting of council districts, authorization
11 or repeal of any appropriation of money or any portion of the annual
12 budget, and authorization or repeal of taxes or fees, shall not be
13 subject to the initiative.

14 (3)(a) Any registered voter of the county may file an initiative
15 proposal with the county auditor, who within five working days after
16 filing shall confer with the petitioner to review the proposal as to
17 form and style and transmit a copy of the proposal to the prosecuting
18 attorney. The county auditor shall give the proposed initiative a
19 number, which shall thereafter be the identifying number for the
20 measure.

21 (b) The county prosecuting attorney shall confer with the
22 petitioner to review the legal aspects of the proposal. Within ten
23 working days of receipt of the proposal, the county prosecuting
24 attorney shall compose a concise statement, posed as a positive
25 question, not to exceed twenty-five words, which shall express and give
26 a true and impartial statement of the purpose of the initiative
27 proposal. Such concise statement shall be the ballot title.

28 (c) The petitioner then has ninety days after the ballot title has
29 been composed to collect the signatures of the registered voters of the
30 county equal in number to not less than ten percent of the number of
31 votes cast in the county for the office of governor at the last
32 gubernatorial election. Each petition shall contain the full text of
33 the proposed measure and the ballot title.

34 (d) The county auditor shall verify the sufficiency of the
35 signatures on the petition, and if it is validated, submit the
36 initiative proposal to the people at the next general or special
37 election that is not less than one hundred twenty days after the
38 submission of the petitions for signature verification, unless the
39 county legislative authority enacts the proposal without change or

1 amendment. If the proposal is enacted without change or amendment, the
2 proposal is subject to referendum.

3 (e) If the county legislative authority does not adopt the proposed
4 measure and adopts a substitute measure concerning the same subject
5 matter, the substitute proposal shall be placed on the same ballot with
6 the initiative proposal; the voters shall be given the choice of
7 accepting either or rejecting both and then be given the choice of
8 accepting one and rejecting the other. If a majority of the voters
9 voting on the first issue is for accepting either, then the measure
10 receiving the majority of the votes cast on the second issue shall be
11 deemed approved. If a majority of those voting on the first issue is
12 for rejecting both, then neither measure shall be approved regardless
13 of the vote on the second issue.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01 RCW
15 to read as follows:

16 (1) The legislative authority of each county by ordinance may refer
17 any proposed or enacted ordinance to the voters for their approval or
18 rejection at a general or special election. If a proposed ordinance is
19 approved by a majority voting on the issue, it shall become effective
20 ten days after the results of the election are certified unless a later
21 date is specified in the ordinance. If an enacted ordinance is not
22 approved by a majority voting on the issue, it shall cease to be
23 effective ten days after the results of the election are certified
24 unless the ordinance referring the enacted ordinance to the voters
25 specified a later date.

26 (2)(a) A referendum may be ordered on any ordinance or part thereof
27 enacted by the county legislative authority except as follows:
28 Emergency ordinances and ordinances or portions of ordinances providing
29 for the compensation or working conditions of county employees,
30 authorizing or repealing any appropriations of money or any portion of
31 the annual budget, and authorizing or repealing taxes or fees, shall
32 not be subject to referendum. Upon validation of a referendum
33 petition, the ordinance or part thereof shall be ineffective pending
34 the outcome of the referendum procedure. A referendum petition against
35 one or more sections of any ordinance shall delay only those sections
36 from taking effect.

37 (b)(i) Any registered voter of the county may file a referendum
38 proposal against any enacted ordinance, or portion thereof, with the

1 county auditor within fifteen days after the ordinance is passed by the
2 county legislative authority.

3 (ii) Within five working days after filing the county auditor shall
4 confer with the petitioner to review the proposal as to form and style
5 and transmit a copy of the proposal to the prosecuting attorney. The
6 county auditor shall give the referendum proposal a number, which
7 thereafter shall be the identifying number for the measure. The county
8 prosecuting attorney shall within ten working days of receipt of the
9 proposal compose a concise statement, posed as a positive question, not
10 to exceed twenty-five words, which shall express and give a true and
11 impartial statement of the referendum proposal. Such concise statement
12 shall be the ballot title.

13 (iii) The petitioner then has sixty days after the ballot title has
14 been composed to collect the signatures of the registered voters of the
15 county equal in number to not less than eight percent of the number of
16 votes cast in the county for the office of governor at the last
17 gubernatorial election. Each petition shall contain the full text of
18 the proposed measure and the ballot title.

19 (iv) The county auditor shall verify the sufficiency of the
20 signatures on the petition, and if it is validated, submit the
21 referendum proposal to the people at the next general or special
22 election that is not less than ninety days after the submission of the
23 petitions for signature verification.

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