
SENATE JOINT RESOLUTION 8206

State of Washington

54th Legislature

1995 Regular Session

By Senator Quigley

Read first time 01/11/95. Referred to Committee on Government Operations.

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 III,
6 sections 1, 3, 4, 10, 12, 15, 17, 18, 21, and 24 and to Article II,
7 sections 1 and 34 of the Constitution of the state of Washington to
8 read as follows:

9 Article III, section 1. EXECUTIVE DEPARTMENT. The executive
10 department shall consist of a governor, lieutenant governor,
11 (~~secretary of state,~~) treasurer, auditor, attorney general,
12 superintendent of public instruction, and a commissioner of public
13 lands, who shall be severally chosen by the qualified electors of the
14 state at the same time and place of voting as for the members of the
15 legislature.

16 Article III, section 3. OTHER EXECUTIVE OFFICERS, TERMS OF OFFICE.
17 The lieutenant governor, (~~secretary of state,~~) treasurer, auditor,
18 attorney general, superintendent of public instruction, and
19 commissioner of public lands, shall hold their offices for four years
20 respectively, and until their successors are elected and qualified.

1 Article III, section 4. RETURNS OF ELECTIONS, CANVASS, ETC. The
2 returns of every election for the officers named in the first section
3 of this article shall be sealed up and transmitted to the seat of
4 government by the returning officers, directed to the (~~secretary of~~
5 ~~state~~) attorney general, who shall deliver the same to the speaker of
6 the house of representatives at the first meeting of the house
7 thereafter, who shall open, publish, and declare the result thereof in
8 the presence of a majority of the members of both houses. The person
9 having the highest number of votes shall be declared duly elected, and
10 a certificate thereof shall be given to such person, signed by the
11 presiding officers of both houses; but if any two or more shall be
12 highest and equal in votes for the same office, one of them shall be
13 chosen by the joint vote of both houses. Contested elections for such
14 officers shall be decided by the legislature in such manner as shall be
15 determined by law. The terms of all officers named in section one of
16 this article shall commence on the second Monday in January after their
17 election until otherwise provided by law.

18 Article III, section 10. VACANCY IN OFFICE OF GOVERNOR. In case
19 of the removal, resignation, death, or disability of the governor, the
20 duties of the office shall devolve upon the lieutenant governor; and in
21 case of a vacancy in both the offices of governor and lieutenant
22 governor, the duties of the governor shall devolve upon the (~~secretary~~
23 ~~of state~~) attorney general. In addition to the line of succession to
24 the office and duties of governor as hereinabove indicated, if the
25 necessity shall arise, in order to fill the vacancy in the office of
26 governor, the following state officers shall succeed to the duties of
27 governor and in the order named, viz.: Treasurer, auditor, (~~attorney~~
28 ~~general,~~) superintendent of public instruction, and commissioner of
29 public lands. In case of the death, disability, or failure or refusal
30 of the person regularly elected to the office of governor to qualify at
31 the time provided by law, the duties of the office shall devolve upon
32 the person regularly elected to and qualified for the office of
33 lieutenant governor, who shall act as governor until the disability be
34 removed, or a governor be elected; and in case of the death,
35 disability, or failure or refusal of both the governor and the
36 lieutenant governor elect to qualify, the duties of the governor shall
37 devolve upon the (~~secretary of state~~) attorney general; and in
38 addition to the line of succession to the office and duties of governor
39 as hereinabove indicated, if there shall be the failure or refusal of

1 any officer named above to qualify, and if the necessity shall arise by
2 reason thereof, then in that event in order to fill the vacancy in the
3 office of governor, the following state officers shall succeed to the
4 duties of governor in the order named, viz: Treasurer, auditor,
5 (~~attorney-general,~~) superintendent of public instruction, and
6 commissioner of public lands. Any person succeeding to the office of
7 governor as in this section provided, shall perform the duties of such
8 office only until the disability be removed, or a governor be elected
9 and qualified; and if a vacancy occur more than thirty days before the
10 next general election occurring within two years after the commencement
11 of the term, a person shall be elected at such election to fill the
12 office of governor for the remainder of the unexpired term.

13 Article III, section 12. VETO POWERS. Every act which shall have
14 passed the legislature shall be, before it becomes a law, presented to
15 the governor. If he approves, he shall sign it; but if not, he shall
16 return it, with his objections, to that house in which it shall have
17 originated, which house shall enter the objections at large upon the
18 journal and proceed to reconsider. If, after such reconsideration,
19 two-thirds of the members present shall agree to pass the bill it shall
20 be sent, together with the objections, to the other house, by which it
21 shall likewise be reconsidered, and if approved by two-thirds of the
22 members present, it shall become a law; but in all such cases the vote
23 of both houses shall be determined by the yeas and nays, and the names
24 of the members voting for or against the bill shall be entered upon the
25 journal of each house respectively. If any bill shall not be returned
26 by the governor within five days, Sundays excepted, after it shall be
27 presented to him, it shall become a law without his signature, unless
28 the general adjournment shall prevent its return, in which case it
29 shall become a law unless the governor, within twenty days next after
30 the adjournment, Sundays excepted, shall file such bill with his
31 objections thereto, in the office of (~~secretary of state~~) the
32 attorney general, who shall lay the same before the legislature at its
33 next session in like manner as if it had been returned by the governor:
34 *Provided*, That within forty-five days next after the adjournment,
35 Sundays excepted, the legislature may, upon petition by a two-thirds
36 majority or more of the membership of each house, reconvene in
37 extraordinary session, not to exceed five days duration, solely to
38 reconsider any bills vetoed. If any bill presented to the governor
39 contain several sections or appropriation items, he may object to one

1 or more sections or appropriation items while approving other portions
2 of the bill: *Provided*, That he may not object to less than an entire
3 section, except that if the section contain one or more appropriation
4 items he may object to any such appropriation item or items. In case
5 of objection he shall append to the bill, at the time of signing it, a
6 statement of the section or sections, appropriation item or items to
7 which he objects and the reasons therefor; and the section or sections,
8 appropriation item or items so objected to shall not take effect unless
9 passed over the governor's objection, as hereinbefore provided. The
10 provisions of Article II, section 12 insofar as they are inconsistent
11 herewith are hereby repealed.

12 Article III, section 15. COMMISSIONS, HOW ISSUED. All commissions
13 shall issue in the name of the state, shall be signed by the governor,
14 sealed with the seal of the state, and attested by the (~~secretary of~~
15 ~~state~~) attorney general.

16 Article III, section 17. (~~SECRETARY OF STATE~~) ATTORNEY GENERAL,
17 ADDITIONAL DUTIES (~~AND SALARY~~). In addition to the duties specified
18 in Article III, section 21, the (~~secretary of state~~) attorney general
19 shall keep a record of the official acts of the legislature, and
20 executive department of the state, and shall, when required, lay the
21 same, and all matters relative thereto, before either branch of the
22 legislature, and shall perform such other duties as shall be assigned
23 him by law. (~~He shall receive an annual salary of twenty-five hundred~~
24 ~~dollars, which may be increased by the legislature, but shall never~~
25 ~~exceed three thousand dollars per annum.~~)

26 Article III, section 18. SEAL. There shall be a seal of the state
27 kept by the (~~secretary of state~~) attorney general for official
28 purposes, which shall be called, "The Seal of the State of Washington."

29 Article III, section 21. ATTORNEY GENERAL, DUTIES AND SALARY. The
30 attorney general shall be the legal adviser of the state officers, and
31 shall perform such other duties as may be prescribed by law. Effective
32 January 13, 1997, the attorney general shall assume responsibility for
33 all duties previously assigned by law to the secretary of state. He
34 shall receive an annual salary of two thousand dollars, which may be
35 increased by the legislature, but shall never exceed thirty-five
36 hundred dollars per annum.

1 Article III, section 24. RECORDS, WHERE KEPT, ETC. The governor,
2 (~~secretary of state,~~) treasurer, auditor, superintendent of public
3 instruction, commissioner of public lands, and attorney general shall
4 severally keep the public records, books, and papers relating to their
5 respective offices, at the seat of government, at which place also the
6 governor, (~~secretary of state~~) attorney general, treasurer, and
7 auditor shall reside.

8 Article II, section 1. LEGISLATIVE POWERS, WHERE VESTED. The
9 legislative authority of the state of Washington shall be vested in the
10 legislature, consisting of a senate and house of representatives, which
11 shall be called the legislature of the state of Washington, but the
12 people reserve to themselves the power to propose bills, laws, and to
13 enact or reject the same at the polls, independent of the legislature,
14 and also reserve power, at their own option, to approve or reject at
15 the polls any act, item, section, or part of any bill, act, or law
16 passed by the legislature.

17 (a) Initiative: The first power reserved by the people is the
18 initiative. Every such petition shall include the full text of the
19 measure so proposed. In the case of initiatives to the legislature and
20 initiatives to the people, the number of valid signatures of legal
21 voters required shall be equal to eight percent of the votes cast for
22 the office of governor at the last gubernatorial election preceding the
23 initial filing of the text of the initiative measure with the secretary
24 of state.

25 Initiative petitions shall be filed with the (~~secretary of state~~)
26 attorney general not less than four months before the election at which
27 they are to be voted upon, or not less than ten days before any regular
28 session of the legislature. If filed at least four months before the
29 election at which they are to be voted upon, he shall submit the same
30 to the vote of the people at the said election. If such petitions are
31 filed not less than ten days before any regular session of the
32 legislature, he shall certify the results within forty days of the
33 filing. If certification is not complete by the date that the
34 legislature convenes, he shall provisionally certify the measure
35 pending final certification of the measure. Such initiative measures,
36 whether certified or provisionally certified, shall take precedence
37 over all other measures in the legislature except appropriation bills
38 and shall be either enacted or rejected without change or amendment by
39 the legislature before the end of such regular session. If any such

1 initiative measures shall be enacted by the legislature it shall be
2 subject to the referendum petition, or it may be enacted and referred
3 by the legislature to the people for approval or rejection at the next
4 regular election. If it is rejected or if no action is taken upon it
5 by the legislature before the end of such regular session, the
6 (~~secretary of state~~) attorney general shall submit it to the people
7 for approval or rejection at the next ensuing regular general election.
8 The legislature may reject any measure so proposed by initiative
9 petition and propose a different one dealing with the same subject, and
10 in such event both measures shall be submitted by the (~~secretary of~~
11 ~~state~~) attorney general to the people for approval or rejection at the
12 next ensuing regular general election. When conflicting measures are
13 submitted to the people the ballots shall be so printed that a voter
14 can express separately by making one cross (X) for each, two
15 preferences, first, as between either measure and neither, and
16 secondly, as between one and the other. If the majority of those
17 voting on the first issue is for neither, both fail, but in that case
18 the votes on the second issue shall nevertheless be carefully counted
19 and made public. If a majority voting on the first issue is for
20 either, then the measure receiving a majority of the votes on the
21 second issue shall be law.

22 (b) Referendum. The second power reserved by the people is the
23 referendum, and it may be ordered on any act, bill, law, or any part
24 thereof passed by the legislature, except such laws as may be necessary
25 for the immediate preservation of the public peace, health or safety,
26 support of the state government and its existing public institutions,
27 either by petition signed by the required percentage of the legal
28 voters, or by the legislature as other bills are enacted: *Provided,*
29 That the legislature may not order a referendum on any initiative
30 measure enacted by the legislature under the foregoing subsection (a).
31 The number of valid signatures of registered voters required on a
32 petition for referendum of an act of the legislature or any part
33 thereof, shall be equal to or exceeding four percent of the votes cast
34 for the office of governor at the last gubernatorial election preceding
35 the filing of the text of the referendum measure with the (~~secretary~~
36 ~~of state~~) attorney general.

37 (c) No act, law, or bill subject to referendum shall take effect
38 until ninety days after the adjournment of the session at which it was
39 enacted. No act, law, or bill approved by a majority of the electors

1 voting thereon shall be amended or repealed by the legislature within
2 a period of two years following such enactment: *Provided*, That any
3 such act, law, or bill may be amended within two years after such
4 enactment at any regular or special session of the legislature by a
5 vote of two-thirds of all the members elected to each house with full
6 compliance with section 12, Article III, of the Washington
7 Constitution, and no amendatory law adopted in accordance with this
8 provision shall be subject to referendum. But such enactment may be
9 amended or repealed at any general regular or special election by
10 direct vote of the people thereon.

11 (d) The filing of a referendum petition against one or more items,
12 sections, or parts of any act, law, or bill shall not delay the
13 remainder of the measure from becoming operative. Referendum petitions
14 against measures passed by the legislature shall be filed with the
15 (~~secretary of state~~) attorney general not later than ninety days
16 after the final adjournment of the session of the legislature which
17 passed the measure on which the referendum is demanded. The veto power
18 of the governor shall not extend to measures initiated by or referred
19 to the people. All elections on measures referred to the people of the
20 state shall be had at the next succeeding regular general election
21 following the filing of the measure with the (~~secretary of state~~)
22 attorney general, except when the legislature shall order a special
23 election. Any measure initiated by the people or referred to the
24 people as herein provided shall take effect and become the law if it is
25 approved by a majority of the votes cast thereon: *Provided*, That the
26 vote cast upon such question or measure shall equal one-third of the
27 total votes cast at such election and not otherwise. Such measure
28 shall be in operation on and after the thirtieth day after the election
29 at which it is approved. The style of all bills proposed by initiative
30 petition shall be: "Be it enacted by the people of the State of
31 Washington." This section shall not be construed to deprive any member
32 of the legislature of the right to introduce any measure. All such
33 petitions shall be filed with the (~~secretary of state~~) attorney
34 general, who shall be guided by the general laws in submitting the same
35 to the people until additional legislation shall especially provide
36 therefor. This section is self-executing, but legislation may be
37 enacted especially to facilitate its operation.

38 (e) The legislature shall provide methods of publicity of all laws
39 or parts of laws, and amendments to the Constitution referred to the

1 people with arguments for and against the laws and amendments so
2 referred. The (~~secretary of state~~) attorney general shall send one
3 copy of the publication to each individual place of residence in the
4 state and shall make such additional distribution as he shall determine
5 necessary to reasonably assure that each voter will have an opportunity
6 to study the measures prior to election.

7 Article II, section 34. BUREAU OF STATISTICS, AGRICULTURE, AND
8 IMMIGRATION. There shall be established in the office of the
9 (~~secretary of state~~) attorney general, a bureau of statistics,
10 agriculture, and immigration, under such regulations as the legislature
11 may provide.

12 BE IT FURTHER RESOLVED, That this amendment will take effect
13 January 13, 1997, but no primary or election for the office of
14 secretary of state will be held in 1996.

15 BE IT FURTHER RESOLVED, That the foregoing amendment shall be
16 construed as a single amendment within the meaning of Article XXIII,
17 section 1 of the state Constitution.

18 The legislature finds that the changes contained in the foregoing
19 amendment constitute a single integrated plan for transferring the
20 duties of the secretary of state to the attorney general. If the
21 foregoing amendment is held to be separate amendments, this joint
22 resolution is void in its entirety and is of no further force and
23 effect.

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

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