
HOUSE JOINT RESOLUTION 4204

State of Washington

64th Legislature

2015 Regular Session

By Representatives Kagi, Magendanz, Carlyle, Muri, Springer, S. Hunt, Clibborn, Schmick, Senn, Smith, Hurst, Wylie, Appleton, Tharinger, Farrell, Moscoso, and McBride

Read first time 01/26/15. Referred to Committee on State Government.

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 the
4 secretary of state shall submit to the qualified voters of the state
5 for their approval and ratification, or rejection, an amendment to
6 Article II, section 1 of the Constitution of the state of Washington
7 to read as follows:

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

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

1 with the secretary of state. The secretary of state shall not accept
2 for filing an initiative measure if, on the advice of the attorney
3 general, the secretary of state determines, within twenty days of the
4 issuance of a final ballot title for the measure, that the measure
5 will result in state expenditures that are not in compliance with any
6 statutory state balanced budget requirement in effect on the date
7 that the initiative is filed: PROVIDED, That this provision shall not
8 preclude the filing of an initiative measure to repeal or amend an
9 increase in a state tax if the measure is filed within one year
10 following the enactment of the increase.

11 Initiative petitions shall be filed with the secretary of state
12 not less than four months before the election at which they are to be
13 voted upon, or not less than ten days before any regular session of
14 the legislature. If filed at least four months before the election at
15 which they are to be voted upon, he shall submit the same to the vote
16 of the people at the said election. If such petitions are filed not
17 less than ten days before any regular session of the legislature, he
18 shall certify the results within forty days of the filing. If
19 certification is not complete by the date that the legislature
20 convenes, he shall provisionally certify the measure pending final
21 certification of the measure. Such initiative measures, whether
22 certified or provisionally certified, shall take precedence over all
23 other measures in the legislature except appropriation bills and
24 shall be either enacted or rejected without change or amendment by
25 the legislature before the end of such regular session. If any such
26 initiative measures shall be enacted by the legislature it shall be
27 subject to the referendum petition, or it may be enacted and referred
28 by the legislature to the people for approval or rejection at the
29 next regular election. If it is rejected or if no action is taken
30 upon it by the legislature before the end of such regular session,
31 the secretary of state shall submit it to the people for approval or
32 rejection at the next ensuing regular general election. The
33 legislature may reject any measure so proposed by initiative petition
34 and propose a different one dealing with the same subject, and in
35 such event both measures shall be submitted by the secretary of state
36 to the people for approval or rejection at the next ensuing regular
37 general election. When conflicting measures are submitted to the
38 people the ballots shall be so printed that a voter can express
39 separately by making one cross (X) for each, two preferences, first,
40 as between either measure and neither, and secondly, as between one

1 and the other. If the majority of those voting on the first issue is
2 for neither, both fail, but in that case the votes on the second
3 issue shall nevertheless be carefully counted and made public. If a
4 majority voting on the first issue is for either, then the measure
5 receiving a majority of the votes on the second issue shall be law.

6 (b) Referendum. The second power reserved by the people is the
7 referendum, and it may be ordered on any act, bill, law, or any part
8 thereof passed by the legislature, except such laws as may be
9 necessary for the immediate preservation of the public peace, health
10 or safety, support of the state government and its existing public
11 institutions, either by petition signed by the required percentage of
12 the legal voters, or by the legislature as other bills are enacted:
13 *Provided*, That the legislature may not order a referendum on any
14 initiative measure enacted by the legislature under the foregoing
15 subsection (a). The number of valid signatures of registered voters
16 required on a petition for referendum of an act of the legislature or
17 any part thereof, shall be equal to or exceeding four percent of the
18 votes cast for the office of governor at the last gubernatorial
19 election preceding the filing of the text of the referendum measure
20 with the secretary of state.

21 (c) No act, law, or bill subject to referendum shall take effect
22 until ninety days after the adjournment of the session at which it
23 was enacted. No act, law, or bill approved by a majority of the
24 electors voting thereon shall be amended or repealed by the
25 legislature within a period of two years following such enactment:
26 *Provided*, That any such act, law, or bill may be amended within two
27 years after such enactment at any regular or special session of the
28 legislature by a vote of two-thirds of all the members elected to
29 each house with full compliance with section 12, Article III, of the
30 Washington Constitution, and no amendatory law adopted in accordance
31 with this provision shall be subject to referendum. But such
32 enactment may be amended or repealed at any general regular or
33 special election by direct vote of the people thereon.

34 (d) The filing of a referendum petition against one or more
35 items, sections, or parts of any act, law, or bill shall not delay
36 the remainder of the measure from becoming operative. Referendum
37 petitions against measures passed by the legislature shall be filed
38 with the secretary of state not later than ninety days after the
39 final adjournment of the session of the legislature which passed the
40 measure on which the referendum is demanded. The veto power of the

1 governor shall not extend to measures initiated by or referred to the
2 people. All elections on measures referred to the people of the state
3 shall be had at the next succeeding regular general election
4 following the filing of the measure with the secretary of state,
5 except when the legislature shall order a special election. Any
6 measure initiated by the people or referred to the people as herein
7 provided shall take effect and become the law if it is approved by a
8 majority of the votes cast thereon: *Provided*, That the vote cast upon
9 such question or measure shall equal one-third of the total votes
10 cast at such election and not otherwise. Such measure shall be in
11 operation on and after the thirtieth day after the election at which
12 it is approved. The style of all bills proposed by initiative
13 petition shall be: "Be it enacted by the people of the State of
14 Washington." This section shall not be construed to deprive any
15 member of the legislature of the right to introduce any measure. All
16 such petitions shall be filed with the secretary of state, who shall
17 be guided by the general laws in submitting the same to the people
18 until additional legislation shall especially provide therefor. This
19 section is self-executing, but legislation may be enacted especially
20 to facilitate its operation.

21 (e) The legislature shall provide methods of publicity of all
22 laws or parts of laws, and amendments to the Constitution referred to
23 the people with arguments for and against the laws and amendments so
24 referred. The secretary of state shall send one copy of the
25 publication to each individual place of residence in the state and
26 shall make such additional distribution as he shall determine
27 necessary to reasonably assure that each voter will have an
28 opportunity to study the measures prior to election.

29 BE IT FURTHER RESOLVED, That the secretary of state shall cause
30 notice of this constitutional amendment to be published at least four
31 times during the four weeks next preceding the election in every
32 legal newspaper in the state.

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