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HOUSE JOINT RESOLUTION 4212

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Sommers, Schindler, Simpson, Hinkle, Flannigan,  
Jarrett, Haler, Hankins, Clibborn and Shabro

Read first time 02/10/2005. Referred to Committee on Local 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 XI, section 5 of the Constitution of the state of Washington to  
7 read as follows:

8            Article XI, section 5. (1) The legislature, by general and uniform  
9 laws, shall provide for the election in the several counties of boards  
10 of county commissioners, sheriffs, county clerks, treasurers,  
11 prosecuting attorneys, and other county, township, or precinct and  
12 district officers, as public convenience may require, and shall  
13 prescribe their duties, and fix their terms of office: *Provided*, That  
14 the legislature may, by general laws, classify the counties by  
15 population and provide for the election in certain classes of counties  
16 certain officers who shall exercise the powers and perform the duties  
17 of two or more officers. It shall regulate the compensation of all  
18 such officers, in proportion to their duties, and for that purpose may  
19 classify the counties by population: *Provided*, That it may delegate to

1 the legislative authority of the counties the right to prescribe the  
2 salaries of its own members and the salaries of other county officers.  
3 And it shall provide for the strict accountability of such officers for  
4 all fees which may be collected by them and for all public moneys which  
5 may be paid to them, or officially come into their possession.

6 (2) Notwithstanding the provisions of subsection (1) of this  
7 section or of section 3 or 4 of this Article, the legislature, by  
8 general laws, shall provide greater flexibility for noncharter county  
9 governance by allowing county voters to approve ballot propositions  
10 altering the governance of their county. A ballot proposition altering  
11 the governance of a county may only be submitted to the voters of that  
12 county at a general election or primary election by action of the  
13 county legislative authority or by a petition of voters proposing the  
14 change that has been signed by registered voters of that county equal  
15 in number to at least ten (10) percent of the number of voters of the  
16 county who voted at the last general election. The general laws shall  
17 allow:

18 (a) A county to operate under either: (i) An elected  
19 executive/council plan of government with either five or seven  
20 councilmembers; or (ii) a council manager plan of government with  
21 either five or seven councilmembers who appoint the county manager.  
22 Either of these alternative plans of government may provide for other  
23 county elected officials, but may not affect the election, powers, or  
24 duties of the prosecuting attorney, superior court judges, or inferior  
25 court judges. The general legislation implementing this subsection  
26 (2)(a) shall designate the county office or offices that are vested  
27 with the powers, authority, and duties granted to and imposed by  
28 general law on each elected county office designated under subsection  
29 (1) of this section that is not retained. A ballot proposition may  
30 authorize a county operating under one of these alternative plans of  
31 government to return operating under subsection (1) of this section.

32 (b) Two or more adjacently located noncharter counties may have a  
33 single official act as the official for these counties performing the  
34 duties of any county elected official or officials provided for under  
35 (a) of this subsection. This subsection (2)(b) shall not affect  
36 members of a county legislative authority, superior court judges, or  
37 inferior court judges. If a single official is authorized to act as  
38 the prosecuting attorney for the counties, that official shall be

1 elected from a single district constituting all of these counties by  
2 the voters of these counties. Any other official may be appointed by  
3 joint action of the county legislative authorities or elected from a  
4 single district constituting all of these counties by the voters of  
5 these counties. A change provided under this subsection (2)(b), or a  
6 return to separately electing these officials in each county, is  
7 authorized only if voters of each county approve the ballot  
8 proposition.

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

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