
HOUSE JOINT RESOLUTION 4211

State of Washington 64th Legislature 2015 Regular Session

By Representatives Manweller, Haler, Shea, and Buys

Read first time 02/09/15. Referred to Committee on Judiciary.

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 43 and Article IV, sections 3 and 4 of the
7 Constitution of the state of Washington to read as follows:

8 Article II, section 43. (1) In January of each year ending in
9 one, a commission shall be established to provide for the
10 redistricting of state legislative, supreme court, and congressional
11 districts.

12 (2) The commission shall be composed of five members to be
13 selected as follows: The legislative leader of the two largest
14 political parties in each house of the legislature shall appoint one
15 voting member to the commission by January 15th of each year ending
16 in one. By January 31st of each year ending in one, the four
17 appointed members, by an affirmative vote of at least three, shall
18 appoint the remaining member. The fifth member of the commission, who
19 shall be nonvoting, shall act as its chairperson. If any appointing
20 authority fails to make the required appointment by the date
21 established by this subsection, within five days after that date the
22 supreme court shall make the required appointment.

1 (3) No elected official and no person elected to legislative
2 district, county, or state political party office may serve on the
3 commission. A commission member shall not have been an elected
4 official and shall not have been an elected legislative district,
5 county, or state political party officer within two years of his or
6 her appointment to the commission. The provisions of this subsection
7 do not apply to the office of precinct committee person.

8 (4) The legislature shall enact laws providing for the
9 implementation of this section, to include additional qualifications
10 for commissioners and additional standards to govern the commission.
11 The legislature shall appropriate funds to enable the commission to
12 carry out its duties.

13 (5) Each district shall contain a population, excluding
14 nonresident military personnel, as nearly equal as practicable to the
15 population of any other district. To the extent reasonable, each
16 district shall contain contiguous territory, shall be compact and
17 convenient, and shall be separated from adjoining districts by
18 natural geographic barriers, artificial barriers, or political
19 subdivision boundaries. The commission's plan shall not provide for a
20 number of legislative districts different than that established by
21 the legislature. The commission's plan shall not be drawn purposely
22 to favor or discriminate against any political party or group.

23 (6) The commission shall complete redistricting as soon as
24 possible following the federal decennial census, but no later than
25 January 1st of each year ending in two. At least three of the voting
26 members shall approve such a redistricting plan. If three of the
27 voting members of the commission fail to approve a plan within the
28 time limitations provided in this subsection, the supreme court shall
29 adopt a plan by April 30th of the year ending in two in conformance
30 with the standards set forth in subsection (5) of this section. The
31 portion of any plan adopted by the supreme court creating supreme
32 court districts must subsequently be approved by the legislature.

33 (7) The legislature may amend the redistricting plan but must do
34 so by a two-thirds vote of the legislators elected or appointed to
35 each house of the legislature. Any amendment must have passed both
36 houses by the end of the thirtieth day of the first session convened
37 after the commission has submitted its plan to the legislature. After
38 that day, the plan, with any legislative amendments, constitutes the
39 state districting law.

1 (8) The legislature shall enact laws providing for the
2 reconvening of a commission for the purpose of modifying a
3 districting law adopted under this section. Such reconvening requires
4 a two-thirds vote of the legislators elected or appointed to each
5 house of the legislature. The commission shall conform to the
6 standards prescribed under subsection (5) of this section and any
7 other standards or procedures that the legislature may provide by
8 law. At least three of the voting members shall approve such a
9 modification. Any modification adopted by the commission may be
10 amended by a two-thirds vote of the legislators elected and appointed
11 to each house of the legislature. The state districting law shall
12 include the modifications with amendments, if any.

13 (9) The legislature shall prescribe by law the terms of
14 commission members and the method of filling vacancies on the
15 commission.

16 (10) The supreme court has original jurisdiction to hear and
17 decide all cases involving congressional and legislative
18 redistricting. The division three court of appeals has original
19 jurisdiction to hear and decide all cases involving the establishment
20 of or review of the boundary lines of supreme court districts.

21 (11) Legislative and congressional districts may not be changed
22 or established except pursuant to this section. A districting plan
23 and any legislative amendments to the plan are not subject to Article
24 III, section 12 of this Constitution.

25 Article IV, section 3. The judges of the supreme court shall
26 reside in and be elected by the qualified electors (~~(of the state at~~
27 ~~large))~~ located in supreme court districts at the general state
28 election at the times and places at which state officers are elected,
29 unless some other time be provided by the legislature. The first
30 election of judges of the supreme court shall be at the election
31 which shall be held upon the adoption of this Constitution and the
32 judges elected thereat shall be classified by lot, so that two shall
33 hold their office for the term of three years, two for the term of
34 five years, and one for the term of seven years. The lot shall be
35 drawn by the judges who shall for that purpose assemble at the seat
36 of government, and they shall cause the result thereof to be
37 certified to the secretary of state, and filed in his office.

38 The supreme court shall select a chief justice from its own
39 membership to serve for a four-year term at the pleasure of a

1 majority of the court as prescribed by supreme court rule. The chief
2 justice shall preside at all sessions of the supreme court. In case
3 of the absence of the chief justice, the majority of the remaining
4 court shall select one of their members to serve as acting chief
5 justice. After the first election the terms of judges elected shall
6 be six years from and after the second Monday in January next
7 succeeding their election.

8 If a vacancy occur in the office of a judge of the supreme court
9 the governor shall only appoint a person to ensure the number of
10 judges as specified by the legislature, to hold the office until the
11 election and qualification of a judge to fill the vacancy, which
12 election shall take place at the next succeeding general election,
13 and the judge so elected shall hold the office for the remainder of
14 the unexpired term. The term of office of the judges of the supreme
15 court, first elected, shall commence as soon as the state shall have
16 been admitted into the Union, and continue for the term herein
17 provided, and until their successors are elected and qualified. The
18 sessions of the supreme court shall be held at the seat of government
19 until otherwise provided by law.

20 The legislature shall adopt laws to create and implement the
21 supreme court districts.

22 Article IV, section 4. The supreme court shall have original
23 jurisdiction in habeas corpus, and quo warranto and mandamus as to
24 all state officers, and appellate jurisdiction in all actions and
25 proceedings, excepting that its appellate jurisdiction shall not
26 extend to civil actions at law for the recovery of money or personal
27 property when the original amount in controversy, or the value of the
28 property does not exceed the sum of two hundred dollars (\$200) unless
29 the action involves the legality of a tax, impost, assessment, toll,
30 municipal fine, or the validity of a statute, excepting also that its
31 appellate jurisdiction shall not extend to an action or proceeding to
32 challenge the establishment or redrawing of supreme court district
33 boundaries. The supreme court shall also have power to issue writs of
34 mandamus, review, prohibition, habeas corpus, certiorari and all
35 other writs necessary and proper to the complete exercise of its
36 appellate and revisory jurisdiction. Each of the judges shall have
37 power to issue writs of habeas corpus to any part of the state upon
38 petition by or on behalf of any person held in actual custody, and
39 may make such writs returnable before himself, or before the supreme

1 court, or before any superior court of the state or any judge
2 thereof.

3 BE IT FURTHER RESOLVED, That this amendment is a single amendment
4 within the meaning of Article XXIII, section 1 of the state
5 Constitution.

6 The legislature finds that the changes contained in this
7 amendment constitute a single integrated plan for supreme court
8 districts. If this amendment is held to be separate amendments, this
9 joint resolution is void in its entirety and is of no further force
10 and effect.

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

--- END ---