
HOUSE JOINT RESOLUTION 4208

State of Washington 58th Legislature 2003 Regular Session

By Representatives Moeller, Clements, Linville, Veloria, Wood,
Dickerson and Hudgins

Read first time 02/10/2003. 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 to
7 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 of
11 the state of Washington, but the people reserve to themselves the power
12 to propose bills, laws, and to enact or reject the same at the polls,
13 independent of the legislature, and also reserve power, at their own
14 option, to approve or reject at the polls any act, item, section, or
15 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. If the measure requires public funds to be spent
19 for its implementation, the text of the initiative must either specify
20 an increase in an existing state revenue source, or provide a new tax

1 or fee, or specify a combination thereof, adequate to fully implement
2 the measure. If the measure repeals or restricts the collection of an
3 existing tax or fee, reduces the rate or amount of an existing tax or
4 fee, or creates or extends an exemption for an existing tax or fee, the
5 text of the initiative must specify how the reductions are to be
6 reflected in the affected budgets. In the case of initiatives to the
7 legislature and initiatives to the people, the number of valid
8 signatures of legal voters required shall be equal to eight percent of
9 the votes cast for the office of governor at the last gubernatorial
10 election preceding the initial filing of the text of the initiative
11 measure with the secretary of state.

12 Initiative petitions shall be filed with the secretary of state not
13 less than four months before the election at which they are to be voted
14 upon, or not less than ten days before any regular session of the
15 legislature. If filed at least four months before the election at
16 which they are to be voted upon, he shall submit the same to the vote
17 of the people at the said election. If such petitions are filed not
18 less than ten days before any regular session of the legislature, he
19 shall certify the results within forty days of the filing. If
20 certification is not complete by the date that the legislature
21 convenes, he shall provisionally certify the measure pending final
22 certification of the measure. Such initiative measures, whether
23 certified or provisionally certified, shall take precedence over all
24 other measures in the legislature except appropriation bills and shall
25 be either enacted or rejected without change or amendment by the
26 legislature before the end of such regular session. If any such
27 initiative measures shall be enacted by the legislature it shall be
28 subject to the referendum petition, or it may be enacted and referred
29 by the legislature to the people for approval or rejection at the next
30 regular election. If it is rejected or if no action is taken upon it
31 by the legislature before the end of such regular session, the
32 secretary of state shall submit it to the people for approval or
33 rejection at the next ensuing regular general election. The
34 legislature may reject any measure so proposed by initiative petition
35 and propose a different one dealing with the same subject, and in such
36 event both measures shall be submitted by the secretary of state to the
37 people for approval or rejection at the next ensuing regular general
38 election. When conflicting measures are submitted to the people the

1 ballots shall be so printed that a voter can express separately by
2 making one cross (X) for each, two preferences, first, as between
3 either measure and neither, and secondly, as between one and the other.
4 If the majority of those voting on the first issue is for neither, both
5 fail, but in that case the votes on the second issue shall nevertheless
6 be carefully counted and made public. If a majority voting on the
7 first issue is for either, then the measure receiving a majority of the
8 votes on the second issue shall be law.

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

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

37 (d) The filing of a referendum petition against one or more items,
38 sections, or parts of any act, law, or bill shall not delay the

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

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

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

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