
SENATE JOINT RESOLUTION 8214

State of Washington

58th Legislature

2003 Regular Session

By Senators Jacobsen and Thibaudeau

Read first time 02/06/2003. Referred to Committee on Government Operations & Elections.

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
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 their
14 own option, to approve or reject at the polls any act, item, section,
15 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 and
19 initiatives to the people, the number of valid signatures of legal
20 voters required shall be equal to eight percent of the votes cast for~~

1 ~~the office of governor at the last gubernatorial election preceding the~~
2 ~~initial filing of the text of the initiative measure with the secretary~~
3 ~~of state.~~

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

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

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

29 ~~(d) The filing of a referendum petition against one or more items,~~
30 ~~sections, or parts of any act, law, or bill shall not delay the~~
31 ~~remainder of the measure from becoming operative. Referendum petitions~~
32 ~~against measures passed by the legislature shall be filed with the~~
33 ~~secretary of state not later than ninety days after the final~~
34 ~~adjournment of the session of the legislature which passed the measure~~
35 ~~on which the referendum is demanded. The veto power of the governor~~
36 ~~shall not extend to measures initiated by or referred to the people.~~
37 ~~All elections on measures referred to the people of the state shall be~~
38 ~~had at the next succeeding regular general election following the~~

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

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

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

--- END ---