
SUBSTITUTE SENATE JOINT RESOLUTION 8225

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Fraser and Rasmussen; by request of Governor Locke)

READ FIRST TIME 02/09/04.

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 IV, section 6 of the Constitution of the state of Washington to
7 read as follows:

8 Article IV, section 6. Superior courts and district courts have
9 concurrent jurisdiction in cases in equity. Except as provided in
10 Article IV, section ..., the superior court shall have original
11 jurisdiction in all cases at law which involve the title or possession
12 of real property, or the legality of any tax, impost, assessment, toll,
13 or municipal fine, and in all other cases in which the demand or the
14 value of the property in controversy amounts to three thousand dollars
15 or as otherwise determined by law, or a lesser sum in excess of the
16 jurisdiction granted to justices of the peace and other inferior
17 courts, and in all criminal cases amounting to felony, and in all cases
18 of misdemeanor not otherwise provided for by law; of actions of
19 forcible entry and detainer; of proceedings in insolvency; of actions

1 to prevent or abate a nuisance; of all matters of probate, of divorce,
2 and for annulment of marriage; and for such special cases and
3 proceedings as are not otherwise provided for. The superior court
4 shall also have original jurisdiction in all cases and of all
5 proceedings in which jurisdiction shall not have been by law vested
6 exclusively in some other court; and said court shall have the power of
7 naturalization and to issue papers therefor. They shall have such
8 appellate jurisdiction in cases arising in justices' and other inferior
9 courts in their respective counties as may be prescribed by law. They
10 shall always be open, except on nonjudicial days, and their process
11 shall extend to all parts of the state. Said courts and their judges
12 shall have power to issue writs of mandamus, quo warranto, review,
13 certiorari, prohibition, and writs of habeas corpus, on petition by or
14 on behalf of any person in actual custody in their respective counties.
15 Injunctions and writs of prohibition and of habeas corpus may be issued
16 and served on legal holidays and nonjudicial days.

17 THAT, At the next general election to be held in this state the
18 secretary of state shall submit to the qualified voters of the state
19 for their approval and ratification, or rejection, an amendment to
20 Article IV of the Constitution of the state of Washington by adding a
21 new section to read as follows:

22 Article IV, section . . . (1) Authorization. In addition to the
23 courts authorized in section 1 of this article, judicial power is
24 vested in a water court.

25 (2) Jurisdiction. The jurisdiction of the water court shall be as
26 provided by statute or by rules authorized by statute.

27 (3) Review of Water Court Actions. Water court actions may be
28 reviewed by the court of appeals or by the supreme court as provided by
29 statute or by rule authorized by statute.

30 (4) Judges. The number of judges of the water court shall be as
31 provided by statute.

32 (5) Election. The election of water court judges shall be held in
33 the same manner as the election of superior court judges, except that
34 water court judges shall serve six-year terms and shall reside within
35 the court of appeals division in which they serve. All registered
36 voters residing within a court of appeals division are eligible to vote
37 in a water court judge election for that division. Water court

1 division one includes Whatcom, Skagit, Snohomish, King, San Juan, and
2 Island counties. Water court division two includes Clallam, Jefferson,
3 Kitsap, Mason, Grays Harbor, Pierce, Thurston, Lewis, Pacific,
4 Wahkiakum, Cowlitz, Skamania, and Clark counties. Water court division
5 three includes Pend Orielle, Stevens, Ferry, Okanogan, Chelan, Douglas,
6 Lincoln, Spokane, Whitman, Adams, Grant, Kittitas, Yakima, Klickitat,
7 Benton, Franklin, Walla Walla, Columbia, Garfield, and Asotin counties.

8 (6) Removal and Retirement. Removal and retirement provisions for
9 water court judges shall be the same as the removal and retirement
10 provisions for superior court judges.

11 (7) Administration and Procedure. The administration and
12 procedures of the water court shall be as provided by rules issued by
13 the supreme court.

14 (8) Conflicts. The provisions of this section shall supersede any
15 conflicting provisions in prior sections of this article.

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

20 BE IT FURTHER RESOLVED, That this amendment is a single amendment
21 within the meaning of Article XXIII, section 1 of the state
22 Constitution.

23 The legislature finds that the changes contained in this amendment
24 constitute a single integrated plan for the establishment of a water
25 court. If this amendment is held to be separate amendments, this joint
26 resolution is void in its entirety and is of no further force and
27 effect.

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