
HOUSE JOINT RESOLUTION 4214

State of Washington 57th Legislature 2001 Regular Session

By Representative Clements

Read first time 02/08/2001. 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 an initiative, whether to the people or to the
19 legislature, would require spending public funds for its
20 implementation, the terms of the initiative must either specify an
21 increase in an existing state revenue source or provide a new tax or

1 fee, or a combination thereof, adequate to fully implement the program.
2 If the additional revenue is not adequate to fund the requirements of
3 the initiative, the initiative is null and void in its entirety. In
4 the case of initiatives to the legislature and initiatives to the
5 people, the number of valid signatures of legal voters required shall
6 be equal to eight percent of the votes cast for the office of governor
7 at the last gubernatorial election preceding the initial filing of the
8 text of the initiative measure with the secretary of state.

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

1 fail, but in that case the votes on the second issue shall nevertheless
2 be carefully counted and made public. If a majority voting on the
3 first issue is for either, then the measure receiving a majority of the
4 votes on the second issue shall be law.

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

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

33 (d) The filing of a referendum petition against one or more items,
34 sections, or parts of any act, law, or bill shall not delay the
35 remainder of the measure from becoming operative. Referendum petitions
36 against measures passed by the legislature shall be filed with the
37 secretary of state not later than ninety days after the final
38 adjournment of the session of the legislature which passed the measure
39 on which the referendum is demanded. The veto power of the governor

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

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

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

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