

HOUSE JOINT RESOLUTION 4221

State of Washington

57th Legislature

2002 Regular Session

By Representative Dunshee

Read first time 01/30/2002. Referred to Committee on Local Government & Housing.

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 XI, section 3 of the Constitution of the state of Washington to
7 read as follows:

8 Article XI, section 3. (1) No new counties shall be established,
9 or annexation shall occur, which ((shall)) at the time of such action
10 reduces any county to a population less than ((four)) twenty thousand
11 ((+4,000), nor shall a)). No new county may be formed containing a
12 ((less)) population of less than ((two)) twenty thousand ((+2,000)),
13 except by the consolidation of two or more counties. All portions of
14 the state shall be in a county. There shall be no territory stricken
15 from any county unless a majority of the voters living in such
16 territory shall petition therefor and then only under such other
17 conditions as may be prescribed by a general law applicable to the
18 whole state except when authorized under subsection (2) of this
19 section.

20 (2) The legislature may act to consolidate two or more counties
21 when either: (a) A county has filed, or against which has been filed,

1 a petition under federal bankruptcy laws, and a petition for
2 dissolution is initiated by a resolution of the legislative authority
3 of the county petitioning for bankruptcy; or (b) an existing county
4 proposes to annex another county. This action is initiated by
5 resolution of the legislative authority of the annexing county and the
6 county proposing to be annexed, and includes a petition with signatures
7 of ten percent of the voters residing within the county proposed to be
8 annexed. A ballot proposition authorizing the annexation must be
9 approved by the voters of the county proposing to be annexed.

10 (3) Every county which shall be enlarged or created from territory
11 taken from any other county or counties shall be liable for a just
12 proportion of the existing assets, debts, and liabilities of the county
13 or counties from which such territory shall be taken: PROVIDED, That
14 in such accounting neither county shall be charged with any debt or
15 liability then existing incurred in the purchase of any county real
16 property, or in the ((purchase or)) construction or improvement of any
17 county buildings ((then in use, or under construction)) or other real
18 property, which shall fall within and be retained or obtained by the
19 other county: PROVIDED FURTHER, That this shall not be construed to
20 affect the rights of creditors.

21 (4) The legislature, in order to ensure continuity of state and
22 local governmental operations in periods of emergency resulting from a
23 petition for dissolution filed under subsection (2)(a) of this section,
24 shall have the power and the duty, immediately upon and after adoption
25 of this amendment, to enact legislation providing for prompt and
26 temporary succession to the powers and duties of public offices of
27 whatever nature and whether filled by election or appointment for a
28 county that has declared financial bankruptcy, the incumbents and legal
29 successors of which may become unavailable for carrying on the powers
30 and duties of such offices. The legislature shall likewise enact such
31 other measures as may be necessary and proper for ensuring the
32 continuity of governmental operations during such emergencies.
33 Legislation enacted under the powers conferred by this amendment shall
34 in all respects conform to the remainder of the Constitution.

35 BE IT FURTHER RESOLVED, That the secretary of state shall cause
36 notice of this constitutional amendment to be published at least four

1 times during the four weeks next preceding the election in every legal
2 newspaper in the state.

--- END ---