
HOUSE JOINT RESOLUTION 4215

State of Washington 59th Legislature 2006 Regular Session

By Representative Nixon

Read first time . Referred to .

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. In the case of initiatives to the legislature and
19 initiatives to the people, the number of valid signatures of legal

1 voters required shall be equal to eight percent of the votes cast for
2 the office of governor at the last gubernatorial election preceding the
3 initial filing of the text of the initiative measure with the secretary
4 of state.

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

1 first issue is for either, then the measure receiving a majority of the
2 votes on the second issue shall be law.

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

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

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

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

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

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

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