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SENATE JOINT RESOLUTION 8202

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State of Washington

61st Legislature

2009 Regular Session

By Senator Jacobsen

Read first time 01/14/09. 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 of the Constitution of the state of Washington by repealing  
7 section 1 thereof in its entirety; and an amendment to Article I,  
8 section 34; Article II, sections 24 and 41; Article XXVIII, section 1;  
9 and Article XXXII, section 1 of the Constitution of the state of  
10 Washington to read as follows:

11 Article I, section 34. The legislature shall pass the necessary  
12 laws to carry out the provisions of section thirty-three (33) of this  
13 article, and to facilitate its operation and effect without delay(  
14 ~~Provided, That the authority hereby conferred upon the legislature~~  
15 ~~shall not be construed to grant to the legislature any exclusive power~~  
16 ~~of lawmaking nor in any way limit the initiative and referendum powers~~  
17 ~~reserved by the people)). The percentages required shall be, state  
18 officers, other than judges, senators and representatives, city  
19 officers of cities of the first class, school district boards in cities~~

1 of the first class; county officers of counties of the first, second  
2 and third classes, twenty-five per cent. Officers of all other  
3 political subdivisions, cities, towns, townships, precincts and school  
4 districts not herein mentioned, and state senators and representatives,  
5 thirty-five per cent.

6 Article II, section 24. The legislature shall never grant any  
7 divorce. Lotteries shall be prohibited except as specifically  
8 authorized upon the affirmative vote of sixty percent of the members of  
9 each house of the legislature (~~(or, notwithstanding any other provision~~  
10 ~~of this Constitution, by referendum or initiative approved by a sixty~~  
11 ~~percent affirmative vote of the electors voting thereon)).~~

12 Article II, section 41. No act, law, or bill (~~(subject to~~  
13 ~~referendum)) shall take effect until ninety days after the adjournment~~  
14 ~~of the session at which it was enacted unless an effective date is~~  
15 ~~given by the legislature. ((No act, law or bill approved by a majority~~  
16 ~~of the electors voting thereon shall be amended or repealed by the~~  
17 ~~legislature within a period of two years following such enactment:~~  
18 ~~Provided, That any such act, law or bill may be amended within two~~  
19 ~~years after such enactment at any regular or special session of the~~  
20 ~~legislature by a vote of two thirds of all the members elected to each~~  
21 ~~house with full compliance with section 12, Article III, of the~~  
22 ~~Washington Constitution, and no amendatory law adopted in accordance~~  
23 ~~with this provision shall be subject to referendum. But such enactment~~  
24 ~~may be amended or repealed at any general regular or special election~~  
25 ~~by direct vote of the people thereon. These provisions supersede the~~  
26 ~~provisions of subsection (c) of section 1 of this article as amended by~~  
27 ~~the seventh amendment to the Constitution of this state.))~~

28 Article XXVIII, section 1. Salaries for members of the  
29 legislature, elected officials of the executive branch of state  
30 government, and judges of the state's supreme court, court of appeals,  
31 superior courts, and district courts shall be fixed by an independent  
32 commission created and directed by law to that purpose. No state  
33 official, public employee, or person required by law to register with  
34 a state agency as a lobbyist, or immediate family member of the  
35 official, employee, or lobbyist, may be a member of that commission.

36 As used in this section the phrase "immediate family" has the  
37 meaning that is defined by law.

1 Any change of salary shall be filed with the secretary of state and  
2 shall become law ninety days thereafter without action of the  
3 legislature or governor(~~(, but shall be subject to referendum petition~~  
4 ~~by the people, filed within the ninety day period. Referendum measures~~  
5 ~~under this section shall be submitted to the people at the next~~  
6 ~~following general election, and shall be otherwise governed by the~~  
7 ~~provisions of this Constitution generally applicable to referendum~~  
8 ~~measures)).~~ The salaries fixed pursuant to this section shall  
9 supersede any other provision for the salaries of members of the  
10 legislature, elected officials of the executive branch of state  
11 government, and judges of the state's supreme court, court of appeals,  
12 superior courts, and district courts. The salaries for such officials  
13 in effect on January 12, 1987, shall remain in effect until changed  
14 pursuant to this section.

15 After the initial adoption of a law by the legislature creating the  
16 independent commission, no amendment to such act which alters the  
17 composition of the commission shall be valid unless the amendment is  
18 enacted by a favorable vote of two-thirds of the members elected to  
19 each house of the legislature (~~(and is subject to referendum~~  
20 ~~petition)).~~

21 The provisions of section 14 of Article IV, sections 14, 16, 17,  
22 19, 20, 21, and 22 of Article III, and section 23 of Article II,  
23 insofar as they are inconsistent herewith, are hereby superseded.  
24 (~~(The provisions of section 1 of Article II relating to referendum~~  
25 ~~procedures, insofar as they are inconsistent herewith, are hereby~~  
26 ~~superseded with regard to the salaries governed by this section.))~~

27 Article XXXII, section 1. The legislature may enact laws  
28 authorizing the state, counties, cities, towns, port districts, or  
29 public corporations established thereby to issue nonrecourse revenue  
30 bonds or other nonrecourse revenue obligations and to apply the  
31 proceeds thereof in the manner and for the purposes heretofore or  
32 hereafter authorized by law, subject to the following limitations:

33 (a) Nonrecourse revenue bonds and other nonrecourse revenue  
34 obligations issued pursuant to this section shall be payable only from  
35 money or other property received as a result of projects financed by  
36 the nonrecourse revenue bonds or other nonrecourse revenue obligations  
37 and from money and other property received from private sources.

1 (b) Nonrecourse revenue bonds and other nonrecourse revenue  
2 obligations issued pursuant to this section shall not be payable from  
3 or secured by any tax funds or governmental revenue or by all or part  
4 of the faith and credit of the state or any unit of local government.

5 (c) Nonrecourse revenue bonds or other nonrecourse revenue  
6 obligations issued pursuant to this section may be issued only if the  
7 issuer certifies that it reasonably believes that the interest paid on  
8 the bonds or obligations will be exempt from income taxation by the  
9 federal government.

10 (d) Nonrecourse revenue bonds or other nonrecourse revenue  
11 obligations may only be used to finance industrial development projects  
12 as defined in legislation.

13 (e) The state, counties, cities, towns, port districts, or public  
14 corporations established thereby, shall never exercise their respective  
15 attributes of sovereignty, including but not limited to, the power to  
16 tax, the power of eminent domain, and the police power on behalf of any  
17 industrial development project authorized pursuant to this section.

18 After the initial adoption of a law by the legislature authorizing  
19 the issuance of nonrecourse revenue bonds or other nonrecourse revenue  
20 obligations, no amendment to such act which expands the definition of  
21 industrial development project shall be valid unless the amendment is  
22 enacted by a favorable vote of three-fifths of the members elected to  
23 each house of the legislature (~~and is subject to referendum~~  
24 ~~petition~~)).

25 Sections 5 and 7 of Article VIII and section 9 of Article XII shall  
26 not be construed as a limitation upon the authority granted by this  
27 section. The proceeds of revenue bonds and other revenue obligations  
28 issued pursuant to this section for the purpose of financing privately  
29 owned property or loans to private persons or corporations shall be  
30 subject to audit by the state but shall not otherwise be deemed to be  
31 public money or public property for purposes of this Constitution.  
32 This section is supplemental to and shall not be construed as a repeal  
33 of or limitation on any other authority lawfully exercisable under the  
34 Constitution and laws of this state, including, among others, any  
35 existing authority to issue revenue bonds.

36 BE IT FURTHER RESOLVED, That the secretary of state shall cause  
37 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.

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