
SENATE JOINT RESOLUTION 8218

State of Washington 62nd Legislature 2012 Regular Session

By Senators Swecker, Regala, Hewitt, Harper, Schoesler, Benton, Hill, and Becker

Read first time 01/09/12. Referred to Committee on Government Operations, Tribal Relations & 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, 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. No initiative may be placed on the ballot if it
19 is determined by the secretary of state that the initiative fails to

1 provide a new or enhanced revenue source to pay for any increase in
2 state obligations or duties that are created by the initiative. The
3 office of the governor, or a subdivision thereof, in consultation with
4 the secretary of state, the attorney general, and any other appropriate
5 state or local agency, shall prepare a fiscal impact statement for an
6 initiative. A fiscal impact statement must describe any projected
7 increase or decrease in revenues, costs, expenditures, or indebtedness
8 that the state or local governments will experience if the ballot
9 measure were approved by state voters. A fiscal impact statement must
10 indicate by fiscal year the impact for the remainder of the biennium in
11 which the bill or resolution will first take effect as well as a
12 cumulative forecast of the fiscal impact for the succeeding four fiscal
13 years. In the case of initiatives to the legislature and initiatives
14 to the people, the number of valid signatures of legal voters required
15 shall be equal to eight percent of the votes cast for the office of
16 governor at the last gubernatorial election preceding the initial
17 filing of the text of the initiative measure with the secretary of
18 state.

19 Initiative petitions shall be filed with the secretary of state not
20 less than four months before the election at which they are to be voted
21 upon, or not less than ten days before any regular session of the
22 legislature. If filed at least four months before the election at
23 which they are to be voted upon, he shall submit the same to the vote
24 of the people at the said election. If such petitions are filed not
25 less than ten days before any regular session of the legislature, he
26 shall certify the results within forty days of the filing. If
27 certification is not complete by the date that the legislature
28 convenes, he shall provisionally certify the measure pending final
29 certification of the measure. Such initiative measures, whether
30 certified or provisionally certified, shall take precedence over all
31 other measures in the legislature except appropriation bills and shall
32 be either enacted or rejected without change or amendment by the
33 legislature before the end of such regular session. If any such
34 initiative measures shall be enacted by the legislature it shall be
35 subject to the referendum petition, or it may be enacted and referred
36 by the legislature to the people for approval or rejection at the next
37 regular election. If it is rejected or if no action is taken upon it
38 by the legislature before the end of such regular session, the

1 secretary of state shall submit it to the people for approval or
2 rejection at the next ensuing regular general election. The
3 legislature may reject any measure so proposed by initiative petition
4 and propose a different one dealing with the same subject, and in such
5 event both measures shall be submitted by the secretary of state to the
6 people for approval or rejection at the next ensuing regular general
7 election. When conflicting measures are submitted to the people the
8 ballots shall be so printed that a voter can express separately by
9 making one cross (X) for each, two preferences, first, as between
10 either measure and neither, and secondly, as between one and the other.
11 If the majority of those voting on the first issue is for neither, both
12 fail, but in that case the votes on the second issue shall nevertheless
13 be carefully counted and made public. If a majority voting on the
14 first issue is for either, then the measure receiving a majority of the
15 votes on the second issue shall be law.

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

31 (c) No act, law, or bill subject to referendum shall take effect
32 until ninety days after the adjournment of the session at which it was
33 enacted. No act, law, or bill approved by a majority of the electors
34 voting thereon shall be amended or repealed by the legislature within
35 a period of two years following such enactment: *Provided*, That any
36 such act, law, or bill may be amended within two years after such
37 enactment at any regular or special session of the legislature by a
38 vote of two-thirds of all the members elected to each house with full

1 compliance with section 12, Article III, of the Washington
2 Constitution, and no amendatory law adopted in accordance with this
3 provision shall be subject to referendum. But such enactment may be
4 amended or repealed at any general regular or special election by
5 direct vote of the people thereon.

6 (d) The filing of a referendum petition against one or more items,
7 sections, or parts of any act, law, or bill shall not delay the
8 remainder of the measure from becoming operative. Referendum petitions
9 against measures passed by the legislature shall be filed with the
10 secretary of state not later than ninety days after the final
11 adjournment of the session of the legislature which passed the measure
12 on which the referendum is demanded. The veto power of the governor
13 shall not extend to measures initiated by or referred to the people.
14 All elections on measures referred to the people of the state shall be
15 had at the next succeeding regular general election following the
16 filing of the measure with the secretary of state, except when the
17 legislature shall order a special election. Any measure initiated by
18 the people or referred to the people as herein provided shall take
19 effect and become the law if it is approved by a majority of the votes
20 cast thereon: *Provided*, That the vote cast upon such question or
21 measure shall equal one-third of the total votes cast at such election
22 and not otherwise. Such measure shall be in operation on and after the
23 thirtieth day after the election at which it is approved. The style of
24 all bills proposed by initiative petition shall be: "Be it enacted by
25 the people of the State of Washington." This section shall not be
26 construed to deprive any member of the legislature of the right to
27 introduce any measure. All such petitions shall be filed with the
28 secretary of state, who shall be guided by the general laws in
29 submitting the same to the people until additional legislation shall
30 especially provide therefor. This section is self-executing, but
31 legislation may be enacted especially to facilitate its operation.

32 (e) The legislature shall provide methods of publicity of all laws
33 or parts of laws, and amendments to the Constitution referred to the
34 people with arguments for and against the laws and amendments so
35 referred. The secretary of state shall send one copy of the
36 publication to each individual place of residence in the state and
37 shall make such additional distribution as he shall determine necessary

1 to reasonably assure that each voter will have an opportunity to study
2 the measures prior to election.

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

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