

**1973  
LEGISLATIVE  
MANUAL**



**STATE OF WASHINGTON**

Joint Rules,  
Rules of the Senate  
AND  
Rules of the House  
OF THE

State Legislature of Washington  
TOGETHER WITH THE

**Declaration of Independence, Constitution of the  
U. S., Enabling Act, State Constitution and  
Amendments, Members of Congress,  
Supreme Court, State Officers and  
Members of the Legislature**



FORTY-THIRD LEGISLATURE  
SESSION OF 1973

Lieutenant Governor

**JOHN A. CHERBERG,**  
*President of the Senate.*

**LEONARD A. SAWYER,**  
*Speaker of the House*

**AL HENRY,**  
*President Pro Tempore.*

**JOHN L. O'BRIEN,**  
*Speaker Pro Tempore.*

**JAMES E. KEEFE,**  
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*Assistant Secretary.*

**CHARLES L. R. JOHNSON,**  
*Sergeant at Arms, Senate.*

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## DECLARATION OF INDEPENDENCE

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good. He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained, and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommo-

dation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places, unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies, without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation: For quartering large bodies of armed troops among us: For protecting them by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States: For cutting off our Trade with all parts of the world: For imposing Taxes on us without our Consent: For

depriving us in many cases of the benefits of Trial by Jury: For transporting us beyond Seas to be tried for pretended offenses: For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies: For taking away our Charters, abolishing our most valuable Laws and altering fundamentally the Forms of our Governments: For suspending our own Legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government hereby declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions. In every stage of these Oppressions We have petitioned for Redress in the most humble terms. Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people. Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations,

which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, THEREFORE, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions do, in the Name, and by authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be, Free and Independent States: that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

# SUMMARY CONSTITUTION OF THE UNITED STATES

## ARTICLE I

Section 1. Legislative powers; in whom vested.

Sec. 2. House of Representatives, how and by whom chosen—Qualifications of a Representative—Representatives and direct taxes, how apportioned—Census—Vacancies to be filled—Power of choosing officers, and of impeachment.

Sec. 3. Senators, how and by whom chosen—How classified—State Executive to make temporary appointments, in case, etc.—Qualifications of a Senator—President of the Senate, his right to vote—President pro tem, and other officers of Senate, how chosen—Power to try impeachment—When President is tried, Chief Justice to preside—Sentence.

Sec. 4. Times, etc., of holding elections, how prescribed—One session in each year.

Sec. 5. Membership—Quorum—Adjournments—Rules—Power to punish or expel—Journal—Time of adjournment limited, unless, etc.

Sec. 6. Compensation—Privileges—Disqualification in certain cases.

Sec. 7. House to originate all revenue bills—Veto—Bill may be passed by two-thirds of each house notwithstanding, etc.—Bill not returned in ten days—Provisions as to all orders, etc., except, etc.

Sec. 8. Powers of Congress.

Sec. 9. Provision as to migration or importation of certain persons—Habeas Corpus—Bills of attainder, etc.—Taxes, how apportioned—No export duty—No commercial preference—No money drawn from treasury, unless, etc.—No titular nobility—Officers not to receive presents, unless, etc.

Sec. 10. States prohibited from the exercise of certain powers.

## ARTICLE II

Section 1. President; his term of office—Electors of President; number and how appointed—Electors to vote on same day—Qualification of President—On whom his duties devolve in case of his removal, death, etc.—President's compensation—His oath.

Sec. 2. President to be commander-in-chief—He may require opinion of, etc., and may pardon—Treaty-making power—Nomination of certain officers—When President may fill vacancies.

Sec. 3. President shall communicate to Congress—He may convene and adjourn Congress, in case, etc., shall receive ambassadors, execute laws, and commission officers.

Sec. 4. All civil offices forfeited for certain crimes.

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Sec. 4. Republican form of government guaranteed—Each State to be protected.

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- I. Religious establishments prohibited — Freedom of speech, of the press, and right to petition.
- II. Right to keep and bear arms.
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- V. Provisions concerning prosecutions, trial and punishment—Private property not to be taken for public use, without, etc.
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- VII. Right of trial by jury secured.
- VIII. Excessive bail or fines and cruel punishments prohibited.
- IX. Rule of construction.
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- XI. Same subject.
- XII. Manner of choosing President and Vice-President.
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Sec. 2. Legislation.
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# COMPLETE TEXT CONSTITUTION OF THE UNITED STATES

## PREAMBLE

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

## ARTICLE I

### Section 1

1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

### Section 2

1. The house of representatives shall be composed of members chosen every second year by the people of the several states; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand; but each State have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

### Section 3

1. The senate of the United States shall be composed of two senators from each State chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.

5. The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

#### Section 4

1. The times, place and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

2. The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.\*

#### Section 5

1. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide.

2. Each house may determine the rules of its pro-

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\*See Amendment XX.

ceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

#### Section 6

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall, in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

#### Section 7

1. All bills for raising revenues shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the house of representatives and the senate shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it; but, if not, he shall return it, with his objections, to that house in which it shall have originated; who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such consideration, two-thirds of the house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and, if approved by two-thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution or vote, to which the concurrence of the senate and house of representatives may

be necessary (except on a question of adjournment), shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be re-passed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

### Section 8

The congress shall have power:

1. To lay and collect taxes, duties, imposts and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court; to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

11. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

12. To provide and maintain a navy.

13. To make rules for the government and regulation of the land and naval forces.

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions.

15. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States. reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by congress.

16. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance by congress, become the seat of government of the United States; and to exercise like authority over

all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

### Section 9

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion, or invasion, the public safety may require it.

3. No bill of attainder, or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinafore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by laws; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

### Section 10

1. No State shall enter into any treaty alliance or confederation, grant letters of marque and reprisal; coin money, emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the congress.

3. No State shall, without the consent of congress,

lay any duty on tonnage, keep troops or ships of war in times of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

### Section 1

1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years; and, together with the vice-president chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the congress, but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. (The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall in the presence of the senate and the house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president. If such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot, one of them for president; and if no person have a majority, then, from the five highest on the list, the said house shall in like manner, choose the president. But in choosing the president, the vote shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them, by ballot, the vice-president.)\*

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption

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\*This paragraph has been superseded and annulled by the 12th amendment.

of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States.

6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may, by law, provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

### Section 2

1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States. He may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offense against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate shall appoint, ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. But the congress may, by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

### Section 3

1. He shall, from time to time, give to the congress information of the state of the Union, and recommend to their consideration such measures as he

shall judge necessary and expedient. He may, on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

#### Section 4

1. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery or other high crimes and misdemeanors.

### ARTICLE III

#### Section 1

1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their office during good behavior and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

#### Section 2

1. The judicial power shall extend to all cases in law and equity arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the congress may by law have directed.

#### Section 3

1. Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No per-

son shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

## ARTICLE IV

### Section 1

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State; and the congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

### Section 2

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.

### Section 3

1. New States may be admitted by the congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States or parts of States, without the consent of the legislatures of the States concerned, as well as of the congress.

2. The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

### Section 4

1. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature cannot be convened) against domestic violence.

## ARTICLE V

1. The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to

this constitution; or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no State, without its consent, shall be deprived of its equal suffrage in the senate.

#### ARTICLE VI

1. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### ARTICLE VII

1. The ratification of the conventions of nine States shall be sufficient for the establishment of this constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEO. WASHINGTON,  
President, and Deputy from Virginia.

#### New Hampshire

John Langdon,

Nicholas Gilman.

#### Massachusetts

Nathaniel Gorman,

Rufus King.

#### Connecticut

Wm. Saml. Johnson,

Roger Sherman.

**New York**

Alexander Hamilton.

**New Jersey**Wil. Livingston,  
David **Brearley**,Wm. Paterson,  
Jona. Dayton.**Pennsylvania**B. Franklin,  
Robt. Morris,  
Thomas **Fitzsimmons**,  
James Wilson,Thomas Mifflin,  
Geo. Clymer,  
Jared Ingersoll,  
Gouv. Morris.**Delaware**Geo. Read,  
John Dickinson,  
Jaco. Broom,Richard Bassett,  
Gunning Bedford, Jr.**Maryland**James McHenry,  
Danl. Carroll,

Dan of St. Thos. Jenifer.

**Virginia**

John Blair,

James Madison, Jr.

**North Carolina**Wm. Blount,  
Hu. Williamson,

Richd. Dobbs Spaight.

**South Carolina**J. Rutledge,  
Charles Pinckney,Charles Cotesworth  
Pinckney,  
Pierce Butler.**Georgia**

William Few,

Abr. Baldwin.

**Attest:**

WILLIAM JACKSON, Secretary

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**AMENDMENTS  
TO THE CONSTITUTION OF THE  
UNITED STATES**

The following amendments were proposed at the first session of the first congress of the United States, which was begun and held at the city of New York on the 4th day of March, 1789, and were adopted by the requisite number of States. Laws of the U. S., vol. 1, page 82.

(The following preamble and resolution preceded the original proposition of the amendments, and as they have been supposed to have an important bearing on the construction of those amendments, they are here inserted. They will be found in the journals of the first session of the first congress.)

**CONGRESS OF THE UNITED STATES**

**Begun and held at the city of New York, on  
Wednesday, the 4th day of March, 1789**

The conventions of a number of states having, at the time of their adopting the constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the government will best insure the beneficent ends of its institution:

Resolved, By the Senate and House of Representatives of the United States of America, in congress assembled, two-thirds of both houses concurring, that the following articles be proposed to the legislatures of the several States, as amendments to the constitution of the United States; all or any of which articles, when ratified by three-fourths of the said legislatures, to be valid to all intents and purposes, as part of said constitution, namely:

**AMENDMENT I (1791)**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

**AMENDMENT II (1791)**

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

**AMENDMENT III (1791)**

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

**AMENDMENT IV (1791)**

The right of the people to be secure in their per-

sons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

#### **AMENDMENT V (1791)**

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

#### **AMENDMENT VI (1791)**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

#### **AMENDMENT VII (1791)**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.\*

#### **AMENDMENT VIII (1791)**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

#### **AMENDMENT IX (1791)**

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

#### **AMENDMENT X (1791)**

The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

(The following amendment was proposed at the second session of the third congress. It is printed in the Laws of the United States, vol. 1, p. 73 as article 11.)

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\* This affects only United States courts.

**AMENDMENT XI (1798)**

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

(The three following sections were proposed as amendments at the first session of the eighth congress. They are printed in the Laws of the United States as article 12.)

**AMENDMENT XII (1804)**

1. The electors shall meet in their respective States, and vote by ballot for president and vice-president, one of whom at least shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as president, and in distinct ballots persons voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each; which lists they shall sign and certify and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president as in the case of the death or other constitutional disability of the president.\*

2. The person having the greatest number of votes as vice-president shall be the vice-president if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president. A quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

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\* See Amendment XX.

**AMENDMENT XIII (1865)****Section 1**

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2**

Congress shall have power to enforce this article by appropriate legislation.

**AMENDMENT XIV (1868)****Section 1**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2**

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3**

No person shall be a senator or representative in congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a vote of two-thirds of each house, remove such disability.

**Section 4**

The validity of the public debt of the United States authorized by law including debts incurred for payment of pensions and bounties for services in suppress-

sing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

#### Section 5

The congress shall have power to enforce, by appropriate legislation, the provisions of this article.

### AMENDMENT XV (1870)

#### Section 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

#### Section 2

The congress shall have power to enforce this article by appropriate legislation.

### AMENDMENT XVI (1913)

The congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

### AMENDMENT XVII (1913)

(In lieu of the first paragraph of section 3 of article 1 of the constitution of the United States and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies.)

#### Section 1

The senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

#### Section 2

When vacancies happen in the representation of any State in the senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

#### Section 3

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution.

### AMENDMENT XVIII (1919)

#### Section 1

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating

liquors within, the importation thereof into, or the exportation thereof from, the United States, and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

#### **Section 2**

The congress and the several States shall have concurrent power to enforce this article by appropriate legislation. (This amendment repealed by Amendment XXI.)

### **AMENDMENT XIX (1920)**

#### **Section 1**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

#### **Section 2**

Congress shall have power by appropriate legislation to enforce the provisions of this article.

### **AMENDMENT XX (1933)**

#### **Section 1**

The terms of the President and Vice-President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

#### **Section 2**

The congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

#### **Section 3**

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice-President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice-President elect shall act as President until a President shall have qualified; and the congress may by law provide for the case wherein neither a President elect nor a Vice-President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice-President shall have qualified.

#### **Section 4**

The congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

**Section 5**

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

**AMENDMENT XXI (1933)**

Section 1. The Eighteenth Article of Amendment to the Constitution of the United States is hereby repealed.

Sec. 2. The transportation or importation into any State, Territory or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

**AMENDMENT XXII (1951)**

**Terms of Office of President.** No person shall be elected to the office of president more than twice, and no person who held the office of president, or acted as president, for more than two years of a term to which some other person was elected president, shall be elected to the office of president more than once. But this article shall not apply to any person holding the office of president when this article was proposed by the congress, and shall not prevent any person who may be holding the office of president, or acting as president, during the term within which this article becomes operative from holding the office of president or acting as president during the remainder of such term.

**AMENDMENT XXIII (1961)**

Section 1. **Granting representation in the Electoral College to the District of Columbia.** The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice-President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice-President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Sec. 2. **Legislation.** The Congress shall have power to enforce this article by appropriate legislation.

The certificate of adoption of the 23rd Amendment, dated April 3, 1961, is published in Vol. 26 Federal Register, page 2808.

**AMENDMENT XXIV (1964)**

Section 1. **Failure to pay tax shall not deny right to vote for President or Vice-President.** The right of citizens of the United States to vote in any primary or other election for President or Vice-President, for electors for President or Vice-President, or for Senator or Representative in Congress, shall not be denied or

abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

The certificate of adoption of the 24th Amendment, dated February 4, 1964, is published in Vol. 29 Federal Register, page 1715.

#### AMENDMENT XXV (1967)

Section 1. **Succession to the Presidency and Vice-Presidency—Inability of President to discharge powers and duties of office.** In case of the removal of the President from office or of his death or resignation, the Vice-President shall become President.

Sec. 2. Whenever there is a vacancy in the office of the Vice-President, the President shall nominate a Vice-President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice-President as Acting President.

Sec. 4. Whenever the Vice-President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice-President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice-President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice-President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

The certificate of adoption of the 25th Amendment dated February 23, 1967 is published in Vol. 32 Federal Register, page 3287.

**AMENDMENT XXVI (1971)**

Section 1. **Extending the right to vote to citizens eighteen years of age or older.** The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

The certificate of adoption of the 26th Amendment dated July 5, 1971 is published in Vol. 36, No. 130, Federal Register, page 12726.

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# ENABLING ACT

AN ACT TO PROVIDE FOR THE DIVISION OF DAKOTA INTO TWO STATES AND TO ENABLE THE PEOPLE OF NORTH DAKOTA, SOUTH DAKOTA, MONTANA, AND WASHINGTON TO FORM CONSTITUTIONS AND STATE GOVERNMENTS AND TO BE ADMITTED INTO THE UNION ON AN EQUAL FOOTING WITH THE ORIGINAL STATES, AND TO MAKE DONATIONS OF PUBLIC LANDS TO SUCH STATES.

(Approved February 22, 1889.)

[25 U. S. Statutes at large, c 180, p 676.]

Section 1. Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana, and Washington, as at present described, may become the States of North Dakota, South Dakota, Montana, and Washington, respectively, as hereinafter provided.

Sec. 2. The area comprising the Territory of Dakota shall, for the purposes of this act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said Territory; and the delegates elected as hereinafter provided to the constitutional convention in districts north of said parallel shall assemble in convention, at the time prescribed in this act, at the city of Bismarck; and the delegates elected in districts south of said parallel shall, at the same time, assemble in convention at the city of Sioux Falls.

Sec. 3. That all persons who are qualified by the laws of said Territories to vote for representatives to the legislative assemblies thereof, are hereby authorized to vote for and choose delegates to form conventions in said proposed states; and the qualifications for delegates to such convention shall be such as by the laws of said Territories, respectively, persons are required to possess to be eligible to the legislative assemblies thereof; and the aforesaid delegates to form said conventions shall be apportioned within the limits of the proposed states, in such districts as may be established as herein provided, in proportion to the population in each of such counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to such conventions; that said apportionments shall be made by the governor, the chief justice, and the secretary of said Territories; and the governors of said Territories shall, by proclamation, order an election of the delegates aforesaid in each of said proposed states, to be held on the Tuesday after the second Monday in May, eighteen hundred and eighty-nine, which proclamation shall be issued on the fifteenth day of April, eighteen hundred and eighty-nine; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such convention issued in the same manner as is prescribed by the

laws of said Territories regulating elections therein for delegates to congress; and the number of votes cast for delegates in each precinct shall also be returned. The number of delegates to said conventions, respectively, shall be seventy-five; and all persons resident in said proposed states, who are qualified voters of said Territories as herein provided, shall be entitled to vote upon the election of delegates, and under such rules and regulations as said conventions may prescribe, not in conflict with this act, upon the ratification or rejection of the constitutions.

Sec. 4. That the delegates to the conventions elected as provided for in this act shall meet at the seat of government of each of said Territories, except the delegates elected in South Dakota, who shall meet at the city of Sioux Falls, on the fourth day of July, eighteen hundred and eighty-nine, and after organization, shall declare, on behalf of the people of said proposed states, that they adopt the Constitution of the United States; whereupon the said conventions shall be, and are hereby, authorized to form constitutions and state governments, for said proposed states respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said conventions shall provide, by ordinances irrevocable without the consent of the United States, and the people of said states:—

First. That the perfect toleration of religious sentiment shall be secured and that no inhabitant of said states shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting said proposed states do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States; that the lands belonging to citizens of the United States residing without the said state shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the states on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said states from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation; but said ordinances shall provide

that all such lands shall be exempt from taxation by said states so long and to such extent as such act of congress may prescribe.

Third. That the debts and liabilities of said Territories shall be assumed and paid by said states, respectively.

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said states, and free from sectarian control.

Sec. 5. That the convention which shall assemble at Bismarck shall form a constitution and state government for a state to be known as North Dakota, and the convention which shall assemble at Sioux Falls shall form a constitution and state government for a state to be known as South Dakota: *Provided*, That at the election for delegates to the constitutional convention in South Dakota, as hereinbefore provided, each elector may have written or printed on his ballot the words "For the Sioux Falls constitution," or the words "Against the Sioux Falls constitution," and the votes on this question shall be returned and canvassed in the same manner as for the election provided for in section three of this act; and if a majority of all votes cast on this question shall be "For the Sioux Falls constitution" it shall be the duty of the convention which may assemble at Sioux Falls as herein provided, to resubmit to the people of South Dakota, for ratification or rejection at the election hereinafter provided for in this act, the constitution framed at Sioux Falls and adopted November third, eighteen hundred and eighty-five, and also the articles and propositions separately submitted at that election, including the question of locating the temporary seat of government, with such changes only as relate to the name and boundary of the proposed state, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act; and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution irrespective of the articles separately submitted, the state of South Dakota shall be admitted as a state in the Union under said constitution as hereinafter provided; but the archives, records, and books of the Territory of Dakota shall remain at Bismarck, the capital of North Dakota, until an agreement in reference thereto is reached by said states. But if at the election for delegates to the constitutional convention in South Dakota a majority of all the votes cast at that election shall be "Against the Sioux Falls constitution," then and in that event it shall be the duty of the convention which will assemble at the city of Sioux Falls on the fourth day of July, eighteen hundred and eighty-nine, to proceed to form a constitution and state government as provided in this act the same as if that question had not been submitted to a vote of the people of South Dakota.

Sec. 6. It shall be the duty of the constitutional convention of North Dakota and South Dakota to appoint a joint commission, to be composed of not less than

three members of each convention, whose duty it shall be to assemble at Bismarck, the present seat of government of said Territory, and agree upon an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also adjust and agree upon the amount of the debts and liabilities of the Territory, which shall be assumed and paid by each of the proposed states of North Dakota and South Dakota; and the agreement reached respecting the territorial debts and liabilities shall be incorporated in the respective constitutions, and each of said states shall obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such states respectively.

Sec. 7. If the constitutions formed for both North Dakota and South Dakota shall be rejected by the people at the elections for the ratification or rejection of their respective constitutions as provided for in this act, the Territorial government of Dakota shall continue in existence the same as if this act had not been passed. But if the constitution formed for either North Dakota or South Dakota shall be rejected by the people, that part of the territory so rejecting its proposed constitution shall continue under the territorial government of the present Territory of Dakota, but shall, after the state adopting its constitution is admitted into the Union, be called by the name of the Territory of North Dakota or South Dakota, as the case may be: *Provided*, That if either of the proposed states provided for in this act shall reject the constitution which may be submitted for ratification or rejection at the election provided therefor, the governor of the territory in which such proposed constitution was rejected shall issue his proclamation reconvening the delegates elected to the convention which formed such rejection constitution, fixing the time and place at which said delegates shall assemble; and when so assembled they shall proceed to form another constitution, or to amend the rejected constitution, and shall submit such new constitution or amended constitution to the people of the proposed state for ratification or rejection, at such time as said convention may determine; and all the provisions of this act, so far as applicable, shall apply to such convention so reassembled and to the constitution which may be formed, its ratification or rejection, and to the admission of the proposed state.

Sec. 8. That the constitutional convention which may assemble in South Dakota shall provide by ordinance for resubmitting the Sioux Falls Constitution of eighteen hundred and eighty-five, after having amended the same as provided in section five of this act, to the people of South Dakota for ratification or rejection at an election to be held therein on the first Tuesday in October, eighteen hundred and eighty-nine; but if said constitutional convention is authorized and required to form a new constitution for South Dakota it shall provide for submitting the same in like manner to the people of South Dakota for ratification or rejection at an election to be held in said proposed state on the said first Tuesday in October. And the constitutional conventions

which may assemble in North Dakota, Montana, and Washington shall provide in like manner for submitting the constitutions formed by them to the people of said proposed states, respectively, for ratification or rejection at elections to be held in said proposed states on said first Tuesday in October; at the elections provided for in this section, the qualified voters of said proposed states shall vote directly for or against the proposed constitutions, and for or against any articles or propositions separately submitted. The returns of said elections shall be made to the secretary of each of said Territories, who with the governor and chief justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution the governor shall certify the result to the president of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy of said constitution, articles, propositions, and ordinances. And if the constitutions and governments of said proposed states are republican in form, and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the president of the United States to issue his proclamation announcing the result of the election in each, and thereupon the proposed states which have adopted constitutions and formed state governments as herein provided shall be deemed admitted by congress into the Union under and by virtue of this act on an equal footing with the original states from and after the date of said proclamation.

Sec. 9. That until the next general census, or until otherwise provided by law, said state shall be entitled to one representative in the house of representatives of the United States, except South Dakota, which shall be entitled to two; and the representatives to the fifty-first congress, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the election for the ratification or rejection of the constitutions; and until said state officers are elected and qualified under the provisions of each constitution and the states, respectively, are admitted into the Union, the Territorial officers shall continue to discharge the duties of their respective offices in each of said Territories.

Sec. 10. That upon the admission of each of said states into the Union sections numbered sixteen and thirty-six in every township of said proposed states, and where such sections, or any parts thereof, have been sold or otherwise disposed of by or under the authority of any act of congress, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said states for the support of common schools, such indemnity lands to be selected within said states in such manner as the legislature may provide, with the approval of the Secretary of the Interior: *Provided*, That the sixteenth and thirty-sixth sections embraced in permanent reservations for national purposes shall not, at any time, be subject to the grants nor to the indem-

nity provisions of this act, nor shall any lands embraced in Indian, military, or other reservations of any character be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to, and become a part of, the public domain.

Sec. 11. That all lands herein granted for educational purposes shall be disposed of only at public sale, and at a price not less than ten dollars per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislatures shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company; and such land shall not be subject to pre-emption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Note: Section 11 has at various times been amended by Congress as follows:

(1) August 11, 1921:

AN ACT To amend an Act approved February 22, 1889, entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such states," approved February 22, 1889, be, and the same hereby is, amended by adding the following: *Provided, however,* That the State may, upon such terms as it may prescribe, grant such easements or rights in such lands as may be acquired in, to, or over the lands of private properties through proceedings in eminent domain: *And provided further,* That any of such granted lands found, after title thereto has vested in the State, to be mineral in character, may be leased for a period not longer than twenty years upon such terms and conditions as the legislature may prescribe. [42 U. S. Statutes at Large, c 61 p 158. Approved August 11, 1921.]

(2) May 7, 1932:

AN ACT To amend section 11 of the Act approved February 22, 1889 (25 Stat. 676), relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 11 of the Act approved Febru-

ary 22, 1889 (25 Stat. 676), be, and the same is hereby, amended to read as follows:

"That all lands granted by this Act shall be disposed of only at public sale after advertising—tillable lands capable of producing agricultural crops for not less than \$10 per acre and lands principally valuable for grazing purposes for not less than \$5 per acre. Any of the said lands may be exchanged for other lands, public or private, of equal value and as near as may be of equal area, but if any of the said lands are exchanged with the United States such exchange shall be limited to surveyed, nonmineral, unreserved public lands of the United States within the State.

"The said lands may be leased under such regulations as the legislature may prescribe; but leases for grazing and agricultural purposes shall not be for a term longer than five years; mineral leases, including leases for exploration for oil and gas and the extraction thereof, for a term not longer than twenty years; and leases for development of hydroelectric power for a term not longer than fifty years.

"The State may also, upon such terms as it may prescribe, grant such easements or rights in any of the lands granted by this Act, as may be acquired in privately owned lands through proceedings in eminent domain: *Provided, however,* That none of such lands, nor any estate or interest therein, shall ever be disposed of except in pursuance of general laws providing for such disposition, nor unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, has been paid or safely secured to the State.

"With the exception of the lands granted for public buildings, the proceeds from the sale and other permanent disposition of any of the said lands and from every part thereof, shall constitute permanent funds for the support and maintenance of the public schools and the various State institutions for which the lands have been granted. Rentals on leased lands, interest on deferred payments on lands sold, interest on funds arising from these lands, and all other actual income, shall be available for the maintenance and support of such schools and institutions. Any State may, however, in its discretion, add a portion of the annual income to the permanent funds.

"The lands hereby granted shall not be subject to preemption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for the purposes for which they have been granted."

Sec. 2. Anything in the said Act approved February 22, 1889, inconsistent with the provisions of this Act is hereby repealed. [47 U. S. Stats. at Large c 172 p 150. Approved May 7, 1932.]

(3) June 25, 1938:

AN ACT To increase the period for which leases may be made for grazing and agricultural purposes of public lands donated to the States of North Dakota, South Dakota, Montana, and Washington by the Act of February 22, 1889, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, as reads "but leases for grazing and agricultural purposes shall not be for a term longer than five years", is amended to read as follows: "but leases for grazing and agricultural purposes shall not be for a term longer than ten years". [52 U. S. Statutes at Large c 700 p 1198. Approved June 25, 1938.]

(4) **April 13, 1948:**

AN ACT To authorize the States of Montana, North Dakota, South Dakota, and Washington to lease their State lands for production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, for such terms of years and on such conditions as may be from time to time provided by the legislatures of the respective States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:* That the second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, is amended to read as follows: "Except as otherwise provided herein, the said lands may be leased under such regulations as the legislature may prescribe. Leases for the production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, shall be for such term of years and on such conditions as may be from time to time provided by the legislatures of the respective States; leases for grazing and agricultural purposes shall be for a term not longer than ten years; and leases for development of hydroelectric power shall be for a term not longer than fifty years." [62 U. S. Statutes at Large c 183 p 170. Approved April 13, 1948.]

(5) **June 28, 1952:**

AN ACT To authorize each of the States of North Dakota, South Dakota, and Washington to pool moneys derived from lands granted to it for public schools and various State institutions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fourth paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended (47 Stat. 151), is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this section, each of the States of North Dakota, South Dakota, and Washington may pool the moneys received by it from oil and gas and other mineral leasing of said lands. The moneys so pooled shall be apportioned among the public schools and the various State Institutions in such manner that the public schools and each of such institutions shall receive an amount which bears the same ratio to the total

amount apportioned as the number of acres (including any that may have been disposed of) granted for such public schools or for such institutions bears to the total number of acres (including any that may have been disposed of) granted by this Act. Not less than 50 per centum of each such amount shall be covered into the appropriate permanent fund." [66 U. S. Statutes at Large c 480 p 283. Approved June 28, 1952.]

(6) May 31, 1962:

AN ACT To amend the Act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States and to make donations of public lands to such States", approved February 22, 1889 (25 Stat. 676, as amended), is amended by inserting before the period at the end of the first sentence in the fourth paragraph of section 11 a comma and the following: "except that proceeds from the sale and other permanent disposition of the two hundred thousand acres granted to the State of Washington for State charitable, educational, penal, and reformatory institutions may be used by such State for the construction of any such institution". [Public Law 87-473; 76 U. S. Statutes at Large 91. Approved May 31, 1962.]

(7) June 30, 1967:

AN ACT To authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of the fourth paragraph of section 11 of the Act entitled "An Act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States", approved February 22, 1889 (25 Stat. 676), as amended, is amended to read as follows: "Rentals on leased land, proceeds from the sale of timber and other crops, interest on deferred payments on land sold, interest on funds arising from these lands, and all other actual income, shall be available for the acquisition and construction of facilities, including the retirement of bonds authorized by law for such purposes, and for the maintenance and support of such schools and institutions." [Public Law 90-41. 81 U. S. Statutes at Large p. 106. Approved June 30, 1967.]

Sec. 12. That upon the admission of each of said states

into the Union, in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said states, to be selected and located in legal subdivisions as provided in section ten of this act, shall be, and are hereby, granted to said states for the purpose of erecting public buildings at the capital of said states for legislative, executive, and judicial purposes.

**Section 12 has been amended by Congress as follows:**

AN ACT To amend section 12 of the Act approved February 22, 1889 (25 Stat. 676) relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, by providing for the use of public lands granted to the States therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvement of public buildings at the capital of said States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, is amended to read as follows:

"That upon the admission of each of said States into the Union, in accordance with the provisions of this act, fifty sections of unappropriated public lands within such States, to be selected and located in legal subdivisions as provided in section 10 of this Act, shall be and are hereby, granted to said States for public buildings at the capital of said States for legislative, executive, and judicial purposes, including construction, reconstruction, repair, renovation, furnishings, equipment, and any other permanent improvement of such buildings and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

Sec. 2. This Act shall take effect as of February 22, 1889 [Public Law 85-6. 71 U. S. Statutes at Large p. 5. Approved February 26, 1957.]

Sec. 13. That five per centum of the proceeds of the sales of public lands lying within said states which shall be sold by the United States subsequent to the admission of said states into the Union, after deducting all the expenses incident to the same, shall be paid to the said states, to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within the said states, respectively.

Sec. 14. That the lands granted to the Territories of Dakota and Montana by the act of February eighteenth, eighteen hundred and eighty-one, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho, and Wyoming for university purposes," are hereby vested in the states of South Dakota, North Dakota, and Montana, respectively, if such states are admitted into the Union, as provided in this act, to the extent of the full quantity of seventy-two sections to each of said states, and any portion of said lands that may not have been selected by either of said Territories of Dakota or Montana may be selected by the respective states aforesaid; but said act of February eighteenth, eighteen hundred

and eighty-one shall be so amended as to provide that none of said lands shall be sold for less than ten dollars per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said states severally, and the income thereof be used exclusively for university purposes. And such quantity of the lands authorized by the fourth section of the act of July seventeenth, eighteen hundred and fifty-four, to be reserved for university purposes in the Territory of Washington, as, together with the lands confirmed to the vendees of the Territory by the act of March fourteenth, eighteen hundred and sixty-four, will make the full quantity of seventy-two entire sections, are hereby granted in like manner to the State of Washington for the purposes of a university in said state. None of the lands granted in this section shall be sold at less than ten dollars per acre; but said lands may be leased in the same manner as provided in section eleven of this act. The schools, colleges, and universities provided for in this act shall forever remain under the exclusive control of the said states, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be used for the support of any sectarian or denominational school, college, or university. The section of land granted by the act of June sixteenth, eighteen hundred and eighty, to the Territory of Dakota, for an asylum for the insane shall, upon the admission of said State of South Dakota into the Union, become the property of said state.

Sec. 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An Act appropriating money for the erection of a penitentiary in the Territory of Dakota;" approved March second, eighteen hundred and eighty-one, together with the buildings thereon, be, and the same is hereby, granted, together with any unexpended balances of the moneys appropriated therefor by said act, to the said State of South Dakota, for the purposes therein designated; and the states of North Dakota, and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March second, eighteen hundred and eighty-one, for the Territory of Dakota. The penitentiary at Deer Lodge City, Montana, and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana.

Sec. 16. That ninety thousand acres of land, to be selected and located as provided in section ten of this act, are hereby granted to each of said states, except to the State of South Dakota, to which one hundred and twenty thousand acres are granted, for the use and support of agricultural colleges in said states, as provided in the acts of congress making donations of lands for such purpose.

Sec. 17. That in lieu of the grant of land for purposes of internal improvement made to new states by the eighth section of the act of September fourth, eighteen hundred and forty-one, which act is hereby repealed as

to the states provided for by this act, and in lieu of any claim or demand by the said states, or either of them, under the act of September twenty-eighth, eighteen hundred and fifty, and section 2479 of the Revised Statutes, making a grant of swamp and overflowed lands to certain states, which grant it is hereby declared is not extended to the states provided for in this act, and in lieu of any grant of saline lands to said states, the following grants of land are hereby made, to wit:

To the State of South Dakota: For the school of mines, forty thousand acres; for the reform school, forty thousand acres; for the deaf and dumb asylum, forty thousand acres; for the agricultural college, forty thousand acres; for the university, forty thousand acres; for state normal schools, eighty thousand acres; for public buildings at the capital of said state, fifty thousand acres, and for such other educational and charitable purposes as the legislature of said state may determine, one hundred and seventy thousand acres; in all five hundred thousand acres.

To the State of North Dakota: a like quantity of land as is in this section granted to the state of South Dakota, and to be for like purposes, and in like proportion as far as practicable.

To the State of Montana: For the establishment and maintenance of a school of mines, one hundred thousand acres; for state normal schools, one hundred thousand acres; for agricultural colleges, in addition to the grant hereinbefore made for that purpose, fifty thousand acres; for the establishment of a state reform school, fifty thousand acres; for the establishment of a deaf and dumb asylum, fifty thousand acres; for public buildings at the capital of the state, in addition to the grant hereinbefore made for that purpose, one hundred and fifty thousand acres.

To the State of Washington: For the establishment and maintenance of a scientific school, one hundred thousand acres; for state normal schools, one hundred thousand acres; for public buildings at the state capital, in addition to the grant hereinbefore made for that purpose, one hundred thousand acres; for state charitable, educational, penal, and reformatory institutions, two hundred thousand acres.

That the states provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated, and disposed of exclusively for the purposes herein mentioned, in such manner as the legislatures of the respective states may severally provide.

Sec. 18. That all mineral lands shall be exempted from the grants made by this act. But if sections sixteen and thirty-six, or any subdivisions or portion of any smallest subdivision thereof in any township shall be found by the Department of the Interior to be mineral lands, said states are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said states, in lieu thereof, for the use and the benefit of the common schools of said states.

Sec. 19. That all lands granted in quantity or as indemnity by this act shall be selected, under the direction of the Secretary of the Interior, from the surveyed, unreserved, and unappropriated public lands of the United States within the limits of the respective states entitled thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said states the number of acres in each heretofore donated by congress to said Territories for similar objects.

Sec. 20. That sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, to each of said Territories for defraying the expenses of the said conventions, except to Dakota, for which the sum of forty thousand dollars is so appropriated, twenty thousand dollars each for South Dakota and North Dakota, and for the payment of the members thereof, under the same rules and regulations and at the same rates as are now provided by law for the payment of the territorial legislatures. Any money hereby appropriated not necessary for such purpose shall be covered into the treasury of the United States.

Sec. 21. That each of said states, when admitted as aforesaid, shall constitute one judicial district, the names thereof to be the same as the names of the states, respectively; and the circuit and district courts therefor shall be held at the capital of such state for the time being, and each of said districts shall, for judicial purposes, until otherwise provided, be attached to the eighth judicial circuit, except Washington and Montana, which shall be attached to the ninth judicial circuit. There shall be appointed for each of said districts one district judge, one United States attorney, and one United States marshal. The judge of each of said districts shall receive a yearly salary of three thousand five hundred dollars, payable in four equal installments, on the first days of January, April, July, and October of each year, and shall reside in the district. There shall be appointed clerks of said courts in each district, who shall keep their offices at the capital of said state. The regular terms of said courts shall be held in each district, at the place aforesaid, on the first Monday in April and the first Monday in November of each year, and only one grand jury and one petit jury shall be summoned in both said circuit and district courts. The circuit and district courts for each of said districts, and the judges thereof, respectively, shall possess the same powers and jurisdiction, and perform the same duties required to be performed by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney, and clerks of the circuit and district courts of each of said districts, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States; and shall, for the services they may perform, receive the fees and compensation

allowed by law to other similar officers and persons performing similar duties in the State of Nebraska.

Sec. 22. That all cases of appeal or writ of error heretofore prosecuted and now pending in the supreme court of the United States upon any record from the supreme court of either of the Territories mentioned in this act, or that may hereafter lawfully be prosecuted upon any record from either of said courts may be heard and determined by said supreme court of the United States. And the mandate of execution or of further proceedings shall be directed by the supreme court of the United States to the circuit or district court hereby established within the state succeeding the territory from which such record is or may be pending, or to the supreme court of such state, as the nature of the case may require: *Provided*, That the mandate of execution or of further proceedings shall, in cases arising in the Territory of Dakota, be directed by the supreme court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the circuit or district court of the district of North Dakota, or to the supreme court of the State of North Dakota, or to the supreme court of the Territory of North Dakota, as the nature of the case may require. And each of the circuit, district, and state courts, herein named, shall, respectively, be the successor of the supreme court of the Territory, as to all such cases arising within the limits embraced within the jurisdiction of such courts respectively with full power to proceed with the same, and award mesne or final process therein; and that from all judgments and decrees of the supreme court of either of the Territories mentioned in this act, in any case arising within the limits of any of the proposed states prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the supreme court of the United States as they shall have had by law prior to the admission of said state into the Union.

Sec. 23. That in respect to all cases, proceedings, and matters now pending in the supreme or district courts of either of the Territories mentioned in this act at the time of the admission into the Union of either of the states mentioned in this act, and arising within the limits of any such state, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all other cases, proceedings and matters pending in the supreme or district courts of any of the Territories mentioned in this act at the time of the admission of such territory into the Union, arising within the limits of said proposed state, the courts established by such state shall, respectively, be the successors of said supreme and district territorial courts; and all the files, records, indictments, and proceedings relating to any such cases, shall be transferred to such circuit, district, and state courts, respectively,

and the same shall be proceeded with therein in due course of law; but no writ, action, indictment, cause or proceeding now pending, or that prior to the admission of any of the states mentioned in this act shall be pending in any territorial court in any of the Territories mentioned in this act, shall abate by the admission of any such state into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district or state court, as the case may be: *Provided, however,* That in all civil actions, causes, and proceedings in which the United States is not a party, transfers shall not be made to the circuit and district courts of the United States, except upon written request of one of the parties to such action or proceeding filed in the proper court; and in the absence of such request such cases shall be proceeded with in the proper state courts.

Sec. 24. That the constitutional conventions may, by ordinance, provide for the election of officers for full state governments, including members of the legislatures and representatives in the fifty-first congress; but said state governments shall remain in abeyance until the state shall be admitted into the Union, respectively, as provided in this act. In case the Constitution of any of said proposed states shall be ratified by the people, but not otherwise, the legislature thereof may assemble, organize, and elect two senators of the United States; and the governor and secretary of state of such proposed state shall certify the election of the senators and representatives in the manner required by law; and when such state is admitted into the Union, the senators and representatives shall be entitled to be admitted to seats in congress, and to all the rights and privileges of senators and representatives of other states in the congress of the United States; and the officers of the state governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of such state officers; and all laws in force made by said Territories at the time of their admission into the Union, shall be in force in said states, except as modified or changed by this act or by the constitutions of the states, respectively.

Sec. 25. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislatures of said Territories or by congress, are hereby repealed.

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# CONSTITUTION OF THE STATE OF WASHINGTON

(This Constitution was framed by a convention of seventy-five delegates, chosen by the people of the Territory of Washington at an election held May 14, 1889, under Sec. 3 of the Enabling Act. The convention met at Olympia on the fourth day of July, 1889, and adjourned on the twenty-second day of August, 1889. The Constitution was ratified by the people at an election held on October 1, 1889, and on November 11, 1889, in accordance with Sec. 8 of the Enabling Act, the President of the United States proclaimed the admission of the State of Washington into the Union.)

Constitutional amendments are integrated with the text. Those portions of the text which have been superseded by amendment are printed in italics following the section affected.

## PREAMBLE

We the people of the State of Washington, grateful to the Supreme Ruler of the Universe for our liberties, do ordain this constitution.

## ARTICLE I—DECLARATION OF RIGHTS

Section 1. **Political Power**—All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Sec. 2. **Supreme Law of the Land**—The Constitution of the United States is the supreme law of the land.

Sec. 3. **Personal Rights**—No person shall be deprived of life, liberty, or property, without due process of law.

Sec. 4. **Right of Petition and Assemblage**—The right of petition and of the people peaceably to assemble for the common good shall never be abridged.

Sec. 5. **Freedom of Speech**—Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

Sec. 6. **Oaths—Mode of Administering**—The mode of administering an oath or affirmation, shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

Sec. 7. **Invasion of Private Affairs or Home Prohibited**—No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

Sec. 8. **Irrevocable Privilege, Franchise or Immunity Prohibited**—No law granting irrevocably any privilege, franchise or immunity, shall be passed by the legislature.

Sec. 9. **Rights of Accused Persons**—No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

Sec. 10. **Administration of Justice**—Justice in all cases shall be administered openly and without unnecessary delay.

Sec. 11. **Religious Freedom**—Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and

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no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: *Provided, however,* That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. (L. 1957, p. 1299, S. J. R. No. 14.) AMENDMENT 34. Approved November, 1958.

Amendment 4 (1904) — Art. 1, Sec. 11. RELIGIOUS FREEDOM — Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. *Provided, however,* That this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary, and for such of the state reformatories as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be in-

competent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. (L. 1903, p. 283, Sec. 1.) Approved November, 1904.

Original text — Art. 1, Sec. 11. RELIGIOUS FREEDOM — Absolute freedom of conscience in all matters of religious sentiment, belief, and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person, or property, on account of religion, but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for, or applied to any religious worship, exercise or instruction, or the support of any religious establishment. No religious qualification shall be required for any public office, or employment, nor shall any person be incompetent as

*a witness, or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of*

*justice touching his religious belief to affect the weight of his testimony.*

**Sec. 12. Special Privileges and Immunities Prohibited**

—No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.

**Sec. 13. Habeas Corpus**—The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety requires it.

**Sec. 14. Excessive Bail, Fines and Punishments**—Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

**Sec. 15. Convictions, Effect of**—No conviction shall work corruption of blood, nor forfeiture of estate.

**Sec. 16. Eminent Domain**—Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public: *Provided*, that the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use. (L. 1919, p. 385, Sec. 1.) **AMENDMENT 9.** Approved November, 1920.

Original text — Art. 1, Sec. 16. **EMINENT DOMAIN**—Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes or ditches on or across the lands of others for agricultural, domestic or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated

to the use of any corporation other than municipal, until full compensation therefor be first made in money, or ascertained and paid into the court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property

for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and de-

termined as such without regard to any legislative assertion that the use is public.

**Sec. 17. Imprisonment for Debt**—There shall be no imprisonment for debt, except in cases of absconding debtors.

**Sec. 18. Military Power, Limitation of**—The military shall be in strict subordination to the civil power.

**Sec. 19. Freedom of Elections**—All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

**Sec. 20. Bail, When Authorized**—All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses when the proof is evident, or the presumption great.

**Sec. 21. Trial by Jury**—The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict by nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto. (In criminal cases see next section.)

**Sec. 22. Rights of the Accused**—In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases: *Provided*, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage, or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. (L. 1921, p. 79, Sec. 1.) **AMENDMENT 10.** Approved November, 1922.

Original text — Art. 1, Sec. 22. **RIGHTS OF ACCUSED PERSONS**—In criminal prosecutions, the accused shall have the right to appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to

testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is al-

leged to have been committed, and the right to appeal in all cases; and, in no instance, shall any accused person before fi-

nal judgment be compelled to advance money or fees to secure the rights herein guaranteed.

**Sec. 23. Bill of Attainder, Ex Post Facto Law, Etc.—**No bill of attainder, ex post facto law, or law impairing the obligations of contracts shall ever be passed.

**Sec. 24. Right to Bear Arms—**The right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.

**Sec. 25. Prosecution by Information—**Offenses heretofore required to be prosecuted by indictment may be prosecuted by information, or by indictment, as shall be prescribed by law.

**Sec. 26. Grand Jury—**No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.

**Sec. 27. Treason Defined, Etc.—**Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

**Sec. 28. Hereditary Privileges Abolished—**No hereditary emoluments, privileges, or powers, shall be granted or conferred in this state.

**Sec. 29. Constitution Mandatory—**The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

**Sec. 30. Rights Reserved—**The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.

**Sec. 31. Standing Army—**No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

**Sec. 32. Fundamental Principles—**A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

**Sec. 33. Recall of Elective Officers—**Every elective public officer in the state of Washington expect [except] judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the

officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided. (L. 1911, p. 504, Sec. 1.) Added by **AMENDMENT 8**. Approved November, 1912.

**Sec. 34. Same**—The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: *Provided*, That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of lawmaking nor in any way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent. (L. 1911, p. 504, Sec. 1.) Added by **AMENDMENT 8**. Approved November, 1912.

## ARTICLE II—LEGISLATIVE DEPARTMENT

**Sec. 1. Legislative Powers, Where Vested**—The legislative authority of the State of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the State of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.

(a) Initiative: The first power reserved by the people is the initiative. *Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition*, and every such petition shall include the full text of the measure so proposed. [Note: Signature requirements superseded by Art. 2, Sec. 1(A), **AMENDMENT 30**.] Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measure

shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum: The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted. *Six per centum, but in no case more than thirty thousand, of the legal voters shall be required to sign and make a valid referendum petition.* [Note: Signature requirements superseded by Art. 2, Sec. 1(A), **AMENDMENT 30.**]

(c) *No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.* [Note: Subdivision (c) is expressly superseded by Art. 2, Sec. 41, **AMENDMENT 26.**]

(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular elections, ex-

cept when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: *Provided*, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

*The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon.* [Note: This paragraph is expressly superseded by Art. 2, Sec. 1(e), AMENDMENT 36.]

(e) The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred. The secretary of state shall send one copy of the publication to each individual place of residence in the state and shall make such additional distribution as he shall determine necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election. These provisions supersede the provisions set forth in the last paragraph of section 1 of this article as amended by the seventh amendment to the Constitution of this state. (L. 1911, p. 136, Sec. 1.) AMENDMENT 7, Approved November, 1912. Subsection (e) added by (L. 1961, p. 2751, S. J. R. No. 9). AMENDMENT 36. Approved November, 1962.

Original text—Art. 2, Sec. 1. LEGISLATIVE POWERS, WHERE VESTED—The legislative powers shall be vested in a senate and

house of representatives, which shall be called the legislature of the State of Washington.

Note: Art. 2, Sec. 31 was also stricken by AMENDMENT 7.

Sec. 1(A). Initiative and Referendum, Signatures Required—Hereafter, the number of valid signatures of legal voters required upon a petition for an initiative measure shall be equal to eight per centum of the

number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. Hereafter, the number of valid signatures of legal voters required upon a petition for a referendum of an act of the legislature or any part thereof, shall be equal to four per centum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. These provisions supersede the requirements specified in section 1 of this article as amended by the seventh amendment of the Constitution of this state. (L. 1955, p. 1860, S. J. R. No. 4.) **AMENDMENT 30.** Approved November, 1956.

**Sec. 2. House of Representatives and Senate**—The house of representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives, and thirty-five senators.

**Sec. 3. The Census**—The legislature shall provide by law for an enumeration of the inhabitants of the state in the year one thousand eight hundred and ninety-five and every ten years thereafter; and at the first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and house of representatives, according to the number of inhabitants, excluding Indians not taxed, soldiers, sailors and officers of the United States army and navy in active service.

**Sec. 4. Election of Representatives and Term of Office**—Members of the house of representatives shall be elected in the year eighteen hundred and eighty-nine at the time and in the manner provided by this Constitution, and shall hold their offices for the term of one year and until their successors shall be elected.

**Sec. 5. Elections, When to be Held**—The next election of the members of the house of representatives after the adoption of this Constitution shall be on the first Tuesday after the first Monday of November, eighteen hundred and ninety, and thereafter, members of the house of representatives shall be elected biennially and their term of office shall be two years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise changed by law.

**Sec. 6. Election and Term of Office of Senators**—After the first election the senators shall be elected by single districts of convenient and contiguous territory, at the same time and in the same manner as members of the house of representatives are required to be elected; and no representative district shall be divided in the formation of a senatorial district. They shall be elected for the term of four years, one-half of their number retiring every two years. The senatorial districts shall be numbered consecutively, and the senators chosen at the first election had by virtue of this Constitution, in odd numbered districts, shall go out of office at the end of the first year; and the senators, elected in the even

numbered districts, shall go out of office at the end of the third year.

**Sec. 7. Qualifications of Legislators**—No person shall be eligible to the legislature who shall not be a citizen of the United States and a qualified voter in the district for which he is chosen.

**Sec. 8. Judges of Their Own Election and Qualification—Quorum**—Each house shall be the judge of the election, returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and may compel the attendance of absent members, in such manner and under such penalties as each house may provide. (Governmental continuity during emergency periods; See Art. 2, Sec. 42.)

**Sec. 9. Rules of Procedure**—Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.

**Sec. 10. Election of Officers**—Each house shall elect its own officers; and when the lieutenant governor shall not attend as president, or shall act as governor, the senate shall choose a temporary president. When presiding, the lieutenant governor shall have the deciding vote in case of an equal division of the senate.

**Sec. 11. Journal, Publicity of Meetings—Adjournments**—Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.

**Sec. 12. Sessions, When—Duration**—The first legislature shall meet on the first Wednesday after the first Monday in November, A.D., 1889. The second legislature shall meet on the first Wednesday after the first Monday in January, A.D., 1891, and sessions of the legislature shall be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days. (Chap. 20, Laws of 1891 changed date of convening to second Monday in January. [RCW 44.04.010])

**Sec. 13. Limitation on Members Holding Office in the State**—No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

**Sec. 14. Same, Federal or Other Office**—No person, being a member of congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the legislature; and if any person after his election as a member of the legislature, shall be elected to congress or be appointed to any other office, civil or military, under

the government of the United States, or any other power, his acceptance thereof shall vacate his seat, provided, that officers in the militia of the state who receive no annual salary, local officers and postmasters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

**Sec. 15. Vacancies in Legislature and in Partisan County Elective Office**—Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: *Provided*, That the person appointed to fill the vacancy must be from the same legislative district, county or county commissioner district and the same political party as the legislator or partisan county elective officer whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district, county or county commissioner district and of the same political party as the legislator or partisan county elective officer whose office has been vacated, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: *Provided*, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. (1967 Senate Joint Resolution No. 24, part.) **AMENDMENT 52**, part. Approved November 5, 1967. (Governmental continuity during emergency periods: See Art. 2, Sec. 42. Vacancies in township, etc., office, how filled: See Art. 11, Sec. 6.)

Amendment 32 (1956)—  
Art. 2, Sec. 15. **VACANCIES IN LEGISLATURE AND IN PARTISAN COUNTY ELECTIVE OFFICE**—*Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled*

*by appointment by the board of county commissioners of the county in which the vacancy occurs: Provided, That the person appointed to fill the vacancy must be from the same legislative district and the same political*

party as the legislator whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint

a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. (L. 1955 p. 1862.) Approved November, 1956.

Amendment 13 (1930)—  
Art. 2, Sec. 15. VACANCIES IN LEGISLATURE—Such vacancies as may occur in either house of the legislature shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: Provided, That in case of a vacancy occurring in the office of a joint senator, the vacancy shall be filled by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial district. (L. 1929, p. 690.) Approved November, 1930.

Original text—Art. 2, Sec. 15. WRITS OF ELECTION TO FILL VACANCIES—The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature.

**Sec. 16. Privileges From Arrest**—Members of the legislature shall be privileged from arrest in all cases except treason, felony and breach of the peace; they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

**Sec. 17. Freedom of Debate**—No member of the legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate.

**Sec. 18. Style of Laws**—The style of the laws of the state shall be: "Be it enacted by the Legislature of the State of Washington." And no laws shall be enacted except by bill.

**Sec. 19. Bill to Contain One Subject**—No bill shall embrace more than one subject, and that shall be expressed in the title.

**Sec. 20. Origin and Amendment of Bills**—Any bill

may originate in either house of the legislature, and a bill passed by one house may be amended in the other.

**Sec. 21. Yeas and Nays**—The yeas and nays of the members of either house shall be entered on the journal, on the demand of one-sixth of the members present.

**Sec. 22. Passage of Bills**—No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

**Sec. 23. Compensation of Members**—Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.

(Compensation of state officers, see Art. 28, Art. 30, and RCW 43.03.010.)

**Sec. 24. Lotteries and Divorce**—The legislature shall never grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon. (L. 1971, p. 1828, S. J. R. No. 5.) **AMENDMENT 56.** Approved November 7, 1972.)

Original text — Art. 2,	shall never authorize any
<b>Sec. 24. LOTTERIES AND</b>	lottery or grant any
<b>DIVORCE</b> — The legislature	divorce.

**Sec. 25. Extra Compensation, Prohibited**—The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted. (L. 1957, p. 1301, S. J. R. No. 18.) **AMENDMENT 35.** Approved November, 1958. (Compensation of state officers: See infra Art. 3, Sec. 25.) (Increase during term in compensation of certain officers, authorized: See Art. 30, Sec. 1.)

Original text— — Art. 2,	<i>after the services shall</i>
<b>Sec. 25. EXTRA COMPENSA-</b>	<i>have been rendered, or</i>
<b>TION, PROHIBITED</b> — <i>The leg-</i>	<i>the contract entered into,</i>
<i>islature shall never grant</i>	<i>nor shall the compensa-</i>
<i>any extra compensation to</i>	<i>tion of any public officer</i>
<i>any public officer, agent,</i>	<i>be increased or diminished</i>
<i>servant, or contractor,</i>	<i>during his term of office.</i>

**Sec. 26. Suits Against the State**—The legislature shall direct by law, in what manner, and in what courts, suits may be brought against the state.

**Sec. 27. Elections—Viva Voce Vote**—In all elections by the legislature the members shall vote viva voce, and their votes shall be entered on the journal.

**Sec. 28. Special Legislation**—The legislature is prohibited from enacting any private or special laws in the following cases:—

1. For changing the names of persons, or constituting one person the heir at law of another.

2. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by congress.

3. For authorizing persons to keep ferries wholly within this state.

4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.

5. For assessment or collection of taxes, or for extending the time for collection thereof.

6. For granting corporate powers or privileges.

7. For authorizing the apportionment of any part of the school fund.

8. For incorporating any town or village or to amend the charter thereof.

9. From giving effect to invalid deeds, wills or other instruments.

10. Releasing or extinguishing in whole or in part, the indebtedness, liability or other obligation, of any person, or corporation to this state, or to any municipal corporation therein.

11. Declaring any person of age or authorizing any minor to sell, lease, or encumber his or her property.

12. Legalizing, except as against the state, the unauthorized or invalid act of any officer.

13. Regulating the rates of interest on money.

14. Remitting fines, penalties or forfeitures.

15. Providing for the management of common schools.

16. Authorizing the adoption of children.

17. For limitation of civil or criminal actions.

18. Changing county lines, locating or changing county seat, provided, this shall not be construed to apply to the creation of new counties. (Creation of municipal corporations, see Art. 11, Sec. 10.)

**Sec. 29. Convict Labor**—After the first day of January eighteen hundred and ninety, the labor of convicts of this state shall not be let out by contract to any person, copartnership, company or corporation, and the legislature shall by law provide for the working of convicts for the benefit of the state.

**Sec. 30. Bribery or Corrupt Solicitation**—The offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used

against him in any judicial proceeding—except for perjury in giving such testimony—and any person convicted of either of the offenses aforesaid, shall as part of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this state. A member who has a private interest in any bill or measure proposed or pending before the legislature, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

**Sec. 31. Laws, When to Take Effect**—(This section stricken by **AMENDMENT 7**, see Art. 2, Sections 1 and 41.)

Original text — Art. 2, Sec. 31. **LAWs, WHEN TO TAKE EFFECT**—No law, except appropriation bills, shall take effect until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency (which emergency

*must be expressed in the preamble or in the body of the act) the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house; said vote to be taken by yeas and nays and entered on the journals.*

**Sec. 32. Laws, How Signed**—No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and under such rules as the legislature shall prescribe.

**Sec. 33. Alien Ownership**—(This section repealed by **AMENDMENT 42**, L. 1965 ex.s., p. 2816, S. J. R. No. 20. Approved November 8, 1966.)

**Amendment 29 (1953)**—**Art. 2, Sec. 33. ALIEN OWNERSHIP**—The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire-clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products there-

*from: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. (L. 1953, p. 853, H. J. R. No. 16.) AMENDMENT 29. Approved November 2, 1954.*

**Amendment 24 (1950)**—**Art. 2, Sec. 33. ALIEN OWNERSHIP** — The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all

conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal, or fire-clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition. (L. 1949, p. 999, S. J. R. No. 9.) AMENDMENT 24. Approved November 7, 1950.

Original Text—Art. 2,  
Sec. 33. OWNERSHIP OF

LANDS BY ALIENS, PROHIBITED — EXCEPTIONS—The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly or in trust for such alien shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal or fire-clay and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition.

**Sec. 34. Bureau of Statistics, Agriculture and Immigration**—There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.

**Sec. 35. Protection of Employees**—The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life or deleterious to health; and fix pains and penalties for the enforcement of the same.

**Sec. 36. When Bills Must be Introduced**—No bill shall be considered in either house unless the time of its introduction shall have been at least ten days before the final adjournment of the legislature, unless the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

**Sec. 37. Revision or Amendment**—No act shall ever be revised or amended by mere reference to its title,

but the act revised or the section amended shall be set forth at full length.

**Sec. 38. Limitation on Amendments**—No amendment to any bill shall be allowed which shall change the scope and object of the bill.

**Sec. 39. Free Transportation to Public Officer Prohibited**—It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.

**Sec. 40. Highway Funds**—All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes, such highway purposes shall be construed to include the following:

(a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;

(b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets: including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the State of public highways, (4) operation of moveable span bridges, and (5) operation of ferries which are a part of any public highway, county road, or city street;

(c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof, for which any of the revenues described in section 1 may have been legally pledged prior to the effective date of this act;

(d) Refunds authorized by law for taxes paid on motor vehicle fuels;

(e) The cost of collection of any revenues described in this section:

*Provided*, That this section shall not be construed to include revenue from general or special taxes or excises not levied primarily for highway purposes, or apply to vehicle operator's license fees or any excise tax imposed on motor vehicles or the use thereof in lieu of a property tax thereon, or fees for certificates of ownership of motor vehicles. (L. 1943, p. 938. H. J. R. No. 4.)  
Added by **AMENDMENT 18**. Approved November, 1944.

**Sec. 41. Laws, Effective Date, Initiative, Referendum—Amendment or Repeal**—No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: *Provided*, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a

vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general, regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the constitution of this state. (L. 1951, p. 959, S. S. J. R. No. 7.) Added by **AMENDMENT 26**. Approved November 4, 1952.

**Sec 42. Governmental Continuity During Emergency Periods**—The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors of which may become unavailable for carrying on the powers and duties of such offices: the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: *Provided*, That if, in the judgment of the legislature at the time of disaster, conformance to the provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution:

Article 14, Sections 1 and 2, Seat of Government;

Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;

Article 3, Section 10 (Amendment 6), Succession to Governorship: *Provided*, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6, of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;

Article 3, Section 13, Vacancies in State Offices;

Article 11, Section 6, Vacancies in County Office;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records. (L. 1961, p. 2758, H. J. R. No. 9.) **AMENDMENT 39**. Approved November, 1962.

### **ARTICLE III—THE EXECUTIVE**

**Sec. 1. Executive Department**—The executive department shall consist of a governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and a commissioner of public lands, who shall be severally chosen by the qualified electors of the state at the same time

and place of voting as for the members of the legislature.

**Sec. 2. Governor, Term of Office**—The supreme executive power of this state shall be vested in a governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

**Sec. 3. Other Executive Officers, Terms of Office**—The lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and commissioner of public lands shall hold their offices for four years respectively, and until their successors are elected and qualified.

**Sec. 4. Returns of Elections, Canvass, Etc.**—The returns of every election for the officers named in the first section of this article shall be sealed up and transmitted to the seat of government by the returning officers, directed to the secretary of state, who shall deliver the same to the speaker of the house of representatives at the first meeting of the house thereafter, who shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislature in such manner as shall be determined by law. The terms of all officers named in section one of this article shall commence on the second Monday in January after their election until otherwise provided by law.

**Sec. 5. General Duties of Governor**—The governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

**Sec. 6. Messages**—He shall communicate at every session by message to the legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

**Sec. 7. Extra Legislative Sessions**—He may, on extraordinary occasions, convene the legislature by proclamation, in which shall be stated the purposes for which the legislature is convened.

**Sec. 8. Commander-in-Chief**—He shall be Commander-in-chief of the military in the state except when they shall be called into the service of the United States.

**Sec. 9. Pardoning Power**—The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.

**Sec. 10. Vacancy in Office of Governor**—In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove

indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed, or a governor be elected; and in case of the death, disability, failure or refusal of both the governor and the lieutenant governor elect to qualify, the duties of the governor shall devolve upon the secretary of state; and in addition to the line of succession to the office and duties of governor as hereinabove indicated, if there shall be the failure or refusal of any officer named above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office only until the disability be removed, or a governor be elected and qualified; and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term. (L. 1909, p. 642, Sec. 1.) **AMENDMENT 6.** Approved November, 1910. (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

Original text — Art 3, Sec. 10. **VACANCY IN** — *In case of the removal, resignation, death, or disability of the governor, the duties of the office shall devolve upon the lieutenant governor, and in case of a vacancy in both the offices*

*of governor and lieutenant governor, the duties of governor shall devolve upon the secretary of state, who shall act as governor until the disability be removed or a governor be elected.*

**Sec. 11. Remission of Fines and Forfeitures** — The governor shall have the power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted and the reasons for the remission.

**Sec. 12. Veto Power** — Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall

sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor. If any bill presented to the governor contain several sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section, or sections; item or items to which he objects and the reasons therefor, and the section or sections, item or items so objected to, shall not take effect unless passed over the governor's objection, as hereinbefore provided. (Veto power withheld from initiated and referred measures: See Art. 2, Sec. 1.)

**Sec. 13. Vacancy in Appointive Office**—When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature, or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified. (See *infra*, Art. 13, Sec. 1.) (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

**Sec. 14. Salary**—The governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum. (Chap. 1, L. 1965 set salary at \$32,500.) See Art. 28, Sec. 1.

**Sec. 15. Commissions, How Issued**—All commissions shall issue in the name of the state, shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

**Sec. 16. Lieutenant Governor, Duties and Salary**—The lieutenant governor shall be presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the legislature, but shall never exceed three thousand

dollars per annum. (Chap. 1, L. 1965 set salary at \$10,000) See Art. 28, Sec. 1.

**Sec. 17. Secretary of State, Duties and Salary**—The secretary of state shall keep a record of the official acts of the legislature, and executive department of the state, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum. (Chap. 1, L. 1965 set salary at \$15,000) See Art. 28, Sec. 1.

**Sec. 18. Seal**—There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called "The Seal of the State of Washington." (Seal of the State: See infra, Art. 18, Sec. 1.)

**Sec. 19. State Treasurer, Duties and Salary** — The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed four thousand dollars per annum. (Chap. 1, L. 1965 set salary at \$15,000) See Art. 28, Sec. 1.

**Sec. 20. State Auditor, Duties and Salary**—The auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum. (Chap. 1, L. 1965 set salary at \$16,500) See Art. 28, Sec. 1.

**Sec. 21. Attorney General, Duties and Salary**—The attorney general shall be the legal adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed thirty-five hundred dollars per annum. (Chap. 1, L. 1965 set salary at \$23,000) See Art. 28, Sec. 1.

**Sec. 22. Superintendent of Public Instruction, Duties and Salary**—The superintendent of public instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum. (Chap. 1, L. 1965 set salary at \$22,500) See Art. 28, Sec. 1.

**Sec. 23. Commissioner of Public Lands—Compensation**—The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct. (Chap. 1, L. 1965 set salary at \$20,000) See Art. 28, Sec. 1.

**Sec. 24. Records, Where Kept, Etc.**—The governor, secretary of state, treasurer, auditor, superintendent of public instruction, commissioner of public lands and attorney general shall severally keep the public records, books and papers relating to their respective offices, at the seat of government, at which place also the gov-

error, secretary of state, treasurer and auditor shall reside. (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

**Sec. 25. Qualifications, Compensation, Offices Which May Be Abolished**—No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. (L. 1955, p. 1861, S. J. R. No. 6.) **AMENDMENT 31.** Approved November, 1956. (See also Art. 2, Sec. 25; Art. 4, Sec. 13; Art. 11, Sec. 8.) (Authorizing compensation increase during term: See Art. 30, Sec. 1.)

Original text — Art. 3, Sec. 25. **QUALIFICATIONS** — No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office, and the state treasurer shall be ineligible for the term succeeding that for which he was elected.

*The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands.*

#### ARTICLE IV—THE JUDICIARY

**Sec. 1. Judicial Power—Where Vested**—The judicial power of the state shall be vested in a supreme court, superior courts, justices of the peace, and such inferior courts as the legislature may provide. (Court of Appeals: See Art. 4, Sec. 29.)

**Sec. 2. Supreme Court**—The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum, and pronounce a decision. The said court shall always be open for the transaction of business except on non-judicial days. In the determination of causes all decisions of the court shall be given in writing and the grounds of the decision shall be stated. The legislature may increase the number of judges of the supreme court from time to time and may provide for separate departments of said court.

**Sec. 2(a). Temporary Performance of Judicial Duties**—When necessary for the prompt and orderly administration of justice a majority of the supreme court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the supreme court, and to authorize any superior court judge to perform judicial duties in any superior court of this state. (L. 1961, p. 2757, H. J. R. No. 6.) **AMENDMENT 38.** Approved November, 1962.

**Sec. 3. Election and Terms of Supreme Judges**—The judges of the supreme court shall be elected by the qualified electors of the state at large at the general state election at the times and places at which state officers are elected, unless some other time be provided by the legislature. The first election of judges of the

supreme court shall be at the election which shall be held upon the adoption of this Constitution and the judges elected thereat shall be classified by lot, so that two shall hold their office for the term of three years, two for the term of five years, and one for the term of seven years. The lot shall be drawn by the judges who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the secretary of state, and filed in his office. The judge having the shortest term to serve not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all sessions of the supreme court, and in case there shall be two judges having in like manner the same short term, the other judges of the supreme court shall determine which of them shall be chief justice. In case of the absence of the chief justice, the judge having in like manner the shortest or next shortest term to serve shall preside. After the first election the terms of judges elected shall be six years from and after the second Monday in January next succeeding their election. If a vacancy occurs in the office of a judge of the supreme court the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the supreme court, first elected, shall commence as soon as the state shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the supreme court shall be held at the seat of government until otherwise provided by law.

**Sec. 3(a). Retirement of Supreme Court and Superior Court Judges**—A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties. (L. 1951, p. 960, H. J. R. No. 6.) **AMENDMENT 25.** Approved November 4, 1952.

**Sec. 4. Jurisdiction**—The supreme court shall have original jurisdiction in habeas corpus and quo warranto and mandamus as to all state officers, and appellate jurisdiction in all actions and proceedings, excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property does not exceed the sum of

two hundred dollars, unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The supreme court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the state upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the supreme court, or before any superior court of the state or any judge thereof.

**Sec. 5. Superior Court—Election of Judges, Terms of, Etc.**—There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election: *Provided*, That until otherwise directed by the legislature one judge only shall be elected for the counties of Spokane and Stevens; one judge for the county of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield and Asotin; one judge for the counties of Kittitas, Yakima and Klickitat; one judge for the counties of Clark, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one judge for the counties of Whatcom, Skagit and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the superior court at the same time as there are judges thereof, and whenever the governor shall direct a superior judge to hold court in any county other than that for which he has been elected, there may be as many sessions of the superior court in said county at the same time as there are judges therein or assigned to duty therein by the governor, and the business of the court shall be so distributed and assigned by law or in the absence of legislation therefor, by such rules and orders of the court as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders and proceedings of any session of the superior court held by any one or more of the judges of such court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this Constitution shall hold their offices for the period of three years, and until their successors shall be elected and qualified, and thereafter the term of office of all superior judges in this state shall be for four years from the second Monday in January next succeeding their election and until their successors are elected and qualified. The first election of judges of the superior court shall be at the election held for the adoption of this Constitution. If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a per-

son to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

**Sec. 6. Jurisdiction of Superior Courts**—The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days. (L. 1951, p. 962, S. H. J. R. No. 13.) **AMENDMENT 28.** Approved November 4, 1952.

Original text — Art. 4, Sec. 6. **JURISDICTION OF SUPERIOR COURTS**—The superior court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand, or the value of the property in controversy amounts to one hundred dollars, and in all criminal cases amounting to felony, and in all cases of misdemeanor not oth-

erwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the

power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justice's and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on non-judicial days, and their process shall extend to all parts of the state. Said courts and their judges

shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and non-judicial days.

**Sec. 7. Exchange of Judges — Judge Pro Tempore —** The judge of any superior court may hold a superior court in any county at the request of the judge of the superior court thereof, and upon the request of the governor it shall be his duty to do so. A case in the superior court may be tried by a judge, *pro tempore*, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court and sworn to try the case.

**Sec. 8. Absence of Judicial Officer—**Any judicial officer who shall absent himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office: *Provided*, That in cases of extreme necessity the governor may extend the leave of absence such time as the necessity therefor shall exist.

**Sec. 9. Removal of Judges, Attorney General, Etc.—**Any judge of any court of record, the attorney general, or any prosecuting attorney may be removed from office by joint resolution of the legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses and on the question of removal the yeas and nays shall also be entered on the journal.

**Sec. 10. Justices of the Peace —** The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five

thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. (L. 1951, p. 962, S. H. J. R. No. 13.) **AMENDMENT 28.** Approved November 4, 1952.

Original text — Art. 4, Sec. 10. **JUSTICES OF THE PEACE** — *The legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: Provided, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of*

*superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. In incorporated cities and towns having more than five thousand inhabitants the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. (See supra, Art. 4, Sec. 6.)*

**Sec. 11. Courts of Record**—The supreme court and the superior courts shall be courts of record, and the legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.

**Sec. 12. Inferior Courts** — The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this Constitution.

**Sec. 13. Salaries of Judicial Offices—How Paid, Etc.** — No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the supreme court and judges of the superior courts shall severally at stated times, during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the supreme court shall be paid by the state. One-half of the salary of each of the superior court judges shall be paid by the state, and the other one-half by the county or counties for which he is elected. In cases where a judge is provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid. (Authorizing compensation increase during term: See Art. 30, Sec. 1.)

**Sec. 14. Salaries of Supreme and Superior Court Judges**—Each of the judges of the supreme court shall receive an annual salary of four thousand dollars (\$4,000); each of the superior court judges shall receive an annual salary of three thousand dollars (\$3,000), which said salaries shall be payable quarterly. The legislature may increase the salaries of the judges herein provided. (Salaries of supreme court judges set at

\$27,500: RCW 2.04.090. Salaries of superior court judges set at \$22,500: RCW 2.08.090.)

**Sec. 15. Ineligibility of Judges**—The judges of the supreme court and the judges of the superior court shall be ineligible to any other office or public employment than a judicial office, or employment, during the term for which they shall have been elected.

**Sec. 16. Charging Juries**—Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

**Sec. 17. Eligibility of Judges**—No person shall be eligible to the office of judge of the supreme court, or judge of a superior court, unless he shall have been admitted to practice in the courts of record of this state, or of the Territory of Washington.

**Sec. 18. Supreme Court Reporter**—The judges of the supreme court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

**Sec. 19. Judges May Not Practice Law**—No judge of a court of record shall practice law in any court of this state during his continuance in office.

**Sec. 20. Decisions, When to be Made**—Every cause submitted to a judge of a superior court for his decision shall be decided by him within ninety days from the submission thereof; *Provided*, That if within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a rehearing. (Cf. RCW 2.08.240.)

**Sec. 21. Publication of Opinions**—The legislature shall provide for the speedy publication of opinions of the supreme court, and all opinions shall be free for publication by any person.

**Sec. 22. Clerk of Supreme Court**—The judges of the supreme court shall appoint a clerk of that court who shall be removable at their pleasure, but the legislature may provide for the election of the clerk of the supreme court, and prescribe the term of his office. The clerk of the supreme court shall receive such compensation by salary only as shall be provided by law.

**Sec. 23. Court Commissioners**—There may be appointed in each county, by the judge of the superior court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the superior court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

**Sec. 24. Rules for Superior Courts**—The judges of the superior courts, shall from time to time, establish uniform rules for the government of the superior courts.

**Sec. 25. Reports of Superior Court Judges**—Superior judges, shall on or before the first day of November in each year, report in writing to the judges of the supreme court such defects and omissions in the laws as their experience may suggest, and the judges of the supreme court shall on or before the first day of January in each

year report in writing to the governor such defects and omissions in the laws as they may believe to exist.

**Sec. 26. Clerk of the Superior Court** — The county clerk shall be by virtue of his office, clerk of the superior court.

**Sec. 27. Style of Process** — The style of all process shall be "The State of Washington," and all prosecutions shall be conducted in its name and by its authority.

**Sec. 28. Oath of Judges**—Every judge of the supreme court, and every judge of a superior court shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Washington, and will faithfully and impartially discharge the duties of the judge to the best of his ability, which oath shall be filed in the office of the secretary of state.

**Sec. 29. Election of Superior Court Judges**—Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: *Provided*, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section, and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature. (L. 1965 ex.s., p. 2815, S. S. J. R. No. 6.) Added by **AMENDMENT 41**. Approved November 8, 1966.

**Sec. 30. Court of Appeals**—(1) *Authorization*. In addition to the courts authorized in section 1 of this article, judicial power is vested in a court of appeals, which shall be established by statute.

(2) *Jurisdiction*. The jurisdiction of the court of appeals shall be as provided by statute or by rules authorized by statute.

(3) *Review of Superior Court*. Superior court actions may be reviewed by the court of appeals or by the supreme court as provided by statute or by rule authorized by statute.

(4) *Judges*. The number, manner of election, compensation, terms of office, removal and retirement of judges of the court of appeals shall be as provided by statute.

(5) *Administration and Procedure.* The administration and procedures of the court of appeals shall be as provided by rules issued by the supreme court.

(6) *Conflicts.* The provisions of this section shall supersede any conflicting provisions in prior sections of this article. (1967 Senate Joint Resolution No. 6.) Added by **AMENDMENT 50.** Approved November 5, 1968. (This section which was adopted as Sec. 29 is herein renumbered Sec. 30 to avoid confusion with Sec. 29, *supra*.)

#### ARTICLE V—IMPEACHMENT

**Sec. 1. Impeachment—Power of and Procedure—**The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor or lieutenant governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected.

**Sec. 2. Officers Liable to —** The governor and other state and judicial officers, except judges and justices of courts not of record, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit, in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

**Sec. 3. Removal From Office—**All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

#### ARTICLE VI—ELECTIONS AND ELECTIVE RIGHTS

**Sec. 1. Qualifications of Electors—**All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *And further provided*, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex. (L. 1909, p. 26, Sec. 1.) **AMENDMENT 5.** Approved November, 1910.

Amendment 2 (1896)—  
 Art. 6, Sec. 1. QUALIFICATIONS OF VOTERS—All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: Provided, That Indians not taxed shall never be allowed the elective franchise: And further provided, That this amendment shall not effect [affect] the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak

the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section. (L. 1895, p. 60, Sec. 1.) AMENDMENT 2. Approved November, 1896.

Original text — Art. 6, Sec. 1. QUALIFICATIONS OF ELECTORS — All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; They shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote: Provided, That Indians not taxed shall never be allowed the elective franchise: Provided, further, That all male persons who at the time of the adoption of this Constitution are qualified electors of the Territory, shall be electors.

#### Sec. 1A. Voter Qualifications for Presidential Elections.

In consideration of those citizens of the United States who become residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: *Provided*, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots. (L. 1965 ex.s., p. 2820, S. H. J. R. No. 4.) Added by AMENDMENT 46. Approved November 8, 1966.

Sec 2. School Elections—Franchise, How Extended— (This section stricken by AMENDMENT 5, see Art. 6, Sec. 1).

Original text — Art 6, Sec. 2. SCHOOL ELECTIONS — FRANCHISE, HOW EXTENDED — The Legislature may provide that there

shall be no denial of the elective franchise at any school election on account of sex.

**Sec. 3. Who Disqualified**—All idiots, insane persons, and persons convicted of infamous crime unless restored to their civil rights are excluded from the elective franchise.

**Sec. 4. Residence, Contingencies Affecting** — For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor-house or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

**Sec. 5. Voter—When Privileged From Arrest**—Voters shall in all cases except treason, felony, and breach of the peace be privileged from arrest during their attendance at elections and in going to, and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

**Sec. 6. Ballot**—All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

**Sec. 7. Registration**—The legislature shall enact a registration law, and shall require a compliance with such law before any elector shall be allowed to vote: *Provided*, That this provision is not compulsory upon the legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a prerequisite to the right to vote, and the same system of registration need not be adopted for both classes.

**Sec. 8. Elections, Time of Holding**—The first election of county and district officers not otherwise provided for in this Constitution, shall be on the Tuesday next after the first Monday in November eighteen hundred and ninety, and thereafter all elections for such officers shall be held biennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this Constitution, after the election held for the adoption of this Constitution, shall be on the Tuesday next after the first Monday in November, eighteen hundred and ninety-two, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November. (See *infra*, Art. 27, Sec. 14.)

## ARTICLE VII—REVENUE AND TAXATION

**Art. 7, Sec. 1. Taxation**—The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied, and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or intangible, subject to ownership. All real estate shall constitute one class: *Provided*, That the legislature

may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred (\$300.00) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual *bona fide* owner. (L. 1929, p. 499, Sec. 1) **AMENDMENT 14.** Approved November, 1930.

**NOTE:** Amendment 14 amended article 7 by striking all of sections 1, 2, 3 and 4, and inserting the above in lieu thereof. Amendment 17 added a new section 2.

Original text — Art. 7, Sec. 1. **ANNUAL STATE TAX** — *All property in the state, not exempt under the laws of the United States, or under this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.*

Amendment 3 (1900) — Art. 7, Sec. 2, was amended by adding the following proviso: "And provided further, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of \$300 for each head of a family liable to assessment and taxation under the provisions of

the laws of this state of which the individual is the actual and *bona fide* owner." (L. 1899, p. 121, Sec. 1.) Approved November, 1900.

Original text — Art 7, Sec. 2. **TAXATION — UNIFORMITY AND EQUALITY — EXEMPTION** — *The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulation by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property; Provided, That a deduction of debts from credits may be authorized: Provided, further, That the property of the United States and of the state, counties, school districts and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation.*

Original text — Art. 7, Sec. 3. **ASSESSMENT OF CORPORATE PROPERTY** — *The*

legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

Original text — Art. 7, Sec. 4. NO SURRENDER OF

POWER OR SUSPENSION OF TAX ON CORPORATE PROPERTY — The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party. (This section is amended and stricken: See 14 Amendment.)

**Sec. 2. Limitation on Levies.** Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one per centum of the true and fair value of such property in money: *Provided, however,* That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during

the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided*, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, *And provided further*, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. ((i) L. 1971, p. 1827, S.J.R. No. 1, AMENDMENT 55. Approved November 1972. (ii) L. 1971, p. 1834, H.J.R. No. 47 AMENDMENT 59. Approved November 1972).

**Construction; Effect of ratification of both S.J.R. No. 1 (Amendment 55) and H.J.R. No. 47 (Amendment 59).** *“Be it further resolved*, That the foregoing amendment shall be submitted to the qualified electors of the state in such a manner that they may vote for or against it separately from the proposed amendment to Article VII, section 2, (Amendment 17) of the Constitution of the state of Washington contained in Senate Joint Resolution No. 1: *Provided*, That if both proposed amendments are approved and ratified, both shall become part of the Constitution.” (L. 1971, p. 1834, H.J.R. No. 47, part.)

Amendment 17 (1944)—**Art. 7, Sec. 2 FORTY MILL LIMIT—Except as herein-after provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum of the true and fair value of such property in money: Provided, however, That nothing herein shall prevent levies at the rates**

*now provided by law by or for any port or public utility district. The term “taxing district” for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only*

*(a) by any taxing district when specifically authorized so to do by a*

majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) by any taxing district otherwise authorized by law to issue general obligation bonds, for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at

which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: Provided, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, and Provided further, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution.

(c) by the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. (L. 1943, p. 936, H.J.R. No. 1.) New section 2 added to Art. 7 by AMENDMENT 17. Approved November, 1944.

Original Section 2, as amended by Amendment 3, was stricken by Amendment 14: The original section and Amendment 3, are set out following Art. 7, Sec. 1, above.

**Sec. 3. Taxation of Federal Agencies and Property—**The United States and its agencies and instrumentalities, and their property, may be taxed under any of the tax laws of this state, whenever and in such manner as such taxation may be authorized or permitted under the laws of the United States, notwithstanding anything to the contrary in the Constitution of this state. (L.

1945, p. 932, H.J.R. No. 9.) **AMENDMENT 19.** Approved November, 1946.

*Original section 3 was set out following Art. 7, stricken by Amendment Sec. 1, above.*  
 14. The original section is

**Sec. 4. No Surrender of Power or Suspension of Tax on Corporate Property** — (This section stricken by **AMENDMENT 14.** It is set out following Art. 7, Sec. 1, above.)

**Sec. 5. Taxes, How Levied**—No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same to which only it shall be applied.

**Sec. 6. Taxes, How Paid**—All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

**Sec. 7. Annual Statement**—An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.

**Sec. 8. Tax to Cover Deficiencies**—Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

**Sec. 9. Special Assessments or Taxation for Local Improvements**—The legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

**Sec. 10. Retired Persons Property Tax Exemption**—Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:

The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief of those property owners below a specific level of income and those fulfilling certain minimum residential requirements. (L. 1965 ex.s., p. 2821, H.J.R. No. 7.) Added by **AMENDMENT 47.** Approved November 8, 1966.

**Sec. 11. Taxation Based on Actual Use**—Nothing in this Article VII as amended shall prevent the legislature from providing, subject to such conditions as it may enact, that the true and fair value in money (a) of farms, agricultural lands, standing timber and timberlands, and (b) of other open space lands which are used for recreation or for enjoyment of their scenic or nat-

ural beauty shall be based on the use to which such property is currently applied, and such values shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property. (1967 H.J.R. No. 1.) **AMENDMENT 53.** Approved November 5, 1968.

#### **ARTICLE VIII—PUBLIC INDEBTEDNESS**

**Sec. 1. State Debt.** (a) The state may contract debt, the principal of which shall be paid and discharged within thirty years from the time of contracting thereof, in the manner set forth herein.

(b) The aggregate debt contracted by the state shall not exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than nine percent of the arithmetic mean of its general state revenues for the three immediately preceding fiscal years as certified by the treasurer. The term "fiscal year" means that period of time commencing July 1 of any year and ending on June 30 of the following year.

(c) The term "general state revenues" when used in this section, shall include all state money received in the treasury from each and every source whatsoever except: (1) Fees and revenues derived from the ownership or operation of any undertaking, facility, or project; (2) Moneys received as gifts, grants, donations, aid, or assistance or otherwise from the United States or any department, bureau, or corporation thereof, or any person, firm, or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid, or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) Moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) Moneys to be paid into and received from trust funds including but not limited to moneys received from taxes levied for specific purposes and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) Proceeds received from the sale of bonds or other evidences of indebtedness.

(d) In computing the amount required for payment of principal and interest on outstanding debt under this section, debt shall be construed to mean borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be repaid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation, or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of this article, obligations guaranteed as provided for in subsection (f) of this section, principal of bond anticipation

notes or obligations issued to fund or refund the indebtedness of the Washington state building authority.

(e) The state may, without limitation, fund or refund, at or prior to maturity, the whole or any part of any existing debt or of any debt hereafter contracted pursuant to section 1, section 2, or section 3 of this article, including any premium payable with respect thereto and interest thereon, or fund or refund, at or prior to maturity, the whole or any part of any indebtedness incurred or authorized prior to the effective date of this amendment by any entity of the type described in subsection (g) of this section, including any premium payable with respect thereto and any interest thereon. Such funding or refunding shall not be deemed to be contracting debt by the state.

(f) Notwithstanding the limitation contained in subsection (b) of this section, the state may pledge its full faith, credit, and taxing power to guarantee the payment of any obligation payable from revenues received from any of the following sources: (1) Fees collected by the state as license fees for motor vehicles; (2) Excise taxes collected by the state on the sale, distribution or use of motor vehicle fuel; and (3) Interest on the permanent common school fund: *Provided*, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.

(g) No money shall be paid from funds in custody of the treasurer with respect to any debt contracted after the effective date of this amendment by the Washington state building authority, the capitol committee, or any similar entity existing or operating for similar purposes pursuant to which such entity undertakes to finance or provide a facility for use or occupancy by the state or any agency, department, or instrumentality thereof.

(h) The legislature shall prescribe all matters relating to the contracting, funding or refunding of debt pursuant to this section, including: The purposes for which debt may be contracted; by a favorable vote of three-fifths of the members elected to each house, the amount of debt which may be contracted for any class of such purposes; the kinds of notes, bonds, or other evidences of debt which may be issued by the state; and the manner by which the treasurer shall determine and advise the legislature, any appropriate agency, officer, or instrumentality of the state as to the available debt capacity within the limitation set forth in this section. The legislature may delegate to any state officer, agency, or instrumentality any of its powers relating to the contracting, funding or refunding of debt pursuant to this section except its power to determine the amount and purposes for which debt may be contracted.

(i) The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and installments of principal of all such debt as the same falls due, but

in any event, any court of record may compel such payment.

(j) Notwithstanding the limitations contained in subsection (b) of this section, the state may issue certificates of indebtedness in such sum or sums as may be necessary to meet temporary deficiencies of the treasury, to preserve the best interests of the state in the conduct of the various state institutions, departments, bureaus, and agencies during each fiscal year; such certificates may be issued only to provide for appropriations already made by the legislature and such certificates must be retired and the debt discharged other than by refunding within twelve months after the date of incurrence.

(k) Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this article shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder thereof. (L. 1971, p. 1836, H.J.R. No. 52, part.) AMENDMENT 60, part. Approved November, 1972.

Original text — Art. 8, Sec. 1. LIMITATION OF STATE DEBT—*The state may to meet casual deficits or failure in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any*

*time exceed four hundred thousand dollars (\$400,000), and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained or to repay the debts so contracted, and to no other purpose whatever.*

Sec. 2. Powers Extended in Certain Cases—In addition to the above limited power to contract debts the state may contract debts to repel invasion, suppress insurrection, or to defend the state in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised and to no other purpose whatever.

Sec. 3. Special Indebtedness, How Authorized—Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein. No such law shall take effect until it shall, at a general election, or a special election called for that purpose, have been submitted to the people and have received a majority of all the votes cast for and against it at such election. (L. 1971, p. 1836. H.J.R. No. 52, part.) AMENDMENT 60, part. Approved November 1972.

Amendment 48 (1966)—Art. 8, Sec. 3. SPECIAL INDEBTEDNESS, HOW AUTHORIZED—*Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on be-*

*half of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the*

payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and notice that such law will be submitted to the people shall be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. (L. 1965 ex.s., p. 2822, H.J.R. No. 39.) **AMENDMENT 48.** Approved November 8, 1966.

Original text — Art. 8, Sec. 3. **SPECIAL INDEBTEDNESS HOW AUTHORIZED — EXCEPT**

**Sec. 4. Moneys Disbursed Only by Appropriation —** No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within one calendar month after the end of the next ensuing fiscal biennium, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum. (L. 1921, p. 80, Sec. 1.) **AMENDMENT 11.** Approved November, 1922.

Original text — Art. 8, Sec. 4. **MONEYS DISBURSED ONLY BY APPROPRIATIONS—** No moneys shall ever be paid out of the treasury of this state, or any of its

the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the state, for three months next preceding the election at which it is submitted to the people.

funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years

from the first day of May next after the passage of such appropriation act, and every such law making a new appropriation, or continuing or reviving an appropriation, shall dis-

tinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

**Sec. 5. Credit Not To Be Loaned**—The credit of the state shall not, in any manner be given or loaned to, or in aid of, any individual, association, company or corporation.

**Sec. 6. Limitations upon Indebtedness**—No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: *Provided further*, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality and (b) any school district with such assent, may be allowed to become indebted to a larger amount but not exceeding five per centum additional for capital outlays. (L. 1951, p. 961, H. J. R. No. 8) **AMENDMENT 27.** Approved November 4, 1952.

Original text — Art. 8, Sec. 6. **LIMITATIONS UPON MUNICIPAL INDEBTEDNESS** — No county, city, town, school district or other municipal corporation, shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district or other municipal corporation, without the assent of three-fifths of the voters therein, voting at an election to be held for

that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state, and county purposes previous to the incurring of such indebtedness; except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section,

shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: Provided further, That any city or town, with such assent may be allowed to become indebted to a larger amount but not exceeding

five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

**Sec. 7. Credit Not To Be Loaned**—No county, city, town or other municipal corporation shall hereafter give any money, or property, or loan its money, or credit to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.

**Sec. 8. Port Expenditures—Industrial Development—Promotion**—The use of public funds by port districts in such manner as may be prescribed by the legislature for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose, and shall not be deemed a gift within the provisions of section 7 of this Article. (L. 1965 ex.s., p. 2819, S. J. R. No 25.) Added by **AMENDMENT 45**. Approved November 8, 1966.

**Sec. 9. State Building Authority**—The legislature is empowered notwithstanding any other provision in this Constitution, to provide for a state building authority in corporate and politic form which may contract with agencies or departments of the state government to construct upon land owned by the state or its agencies, or to be acquired by the state building authority, buildings and appurtenant improvements which such state agencies or departments are hereby empowered to lease at reasonable rental rates from the Washington state building authority for terms up to seventy-five years with provisions for eventual vesting of title in the state or its agencies. This section shall not be construed as authority to provide buildings through lease or otherwise to nongovernmental entities. The legislature may authorize the state building authority to borrow funds solely upon its own credit and to issue bonds or other evidences of indebtedness therefor to be repaid from its revenues and to secure the same by pledging its income or mortgaging its leaseholds. The provisions of sections 1 and 3 of this article shall not apply to indebtedness incurred pursuant to this section. (1967 S.J.R. No. 17.) **AMENDMENT 51**. Approved November 5, 1968. (This section which was adopted as Sec 8, is herein renumbered Sec. 9 to avoid confusion with Sec. 8, *supra*.)

## ARTICLE IX—EDUCATION

**Sec. 1. Preamble**—It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.

**Sec. 2. Public School System**—The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools, and technical schools as may hereafter be established. But the entire revenue derived from the common school fund and the state tax for common schools shall be exclusively applied to the support of the common schools.

**Sec. 3. Funds for Support**—The principal of the common school fund as the same existed on June 30, 1965, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of stone, minerals, or property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating stone, minerals or property other than timber and other crops from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.

The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.

To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct. (L. 1965 ex.s., p. 2817, S. J. R. No. 22, part 1.)  
**AMENDMENT 43.** Approved November 8, 1966.

Original text — Art. 9, Sec. 3. FUNDS FOR SUPPORT—*the principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has been not made by law; the proceeds of the sale of timber, stone, minerals, or other property from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals or other property from school and state lands*

*other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state which shall be sold by the United States subsequent to the admission of the state into the Union, as approved by section thirteen of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund. The interest accruing on said fund together with all rentals and other revenues derived therefrom and from lands and other property devoted to the common school fund shall be exclusively applied to the current use of the common schools.*

**Sec. 4. Sectarian Control or Influence Prohibited—**All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

**Sec. 5. Loss of Permanent Fund to Become State Debt**—All losses to the permanent common school or any other state educational fund, which shall be occasioned

by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this Constitution. (Investment of permanent school fund: See *infra*, Art. 16.)

### ARTICLE X—MILITIA

**Sec. 1. Who Liable to Military Duty**—All able-bodied male citizens of this state between the ages of eighteen (18) and forty-five (45) years except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.

**Sec. 2. Organization—Discipline—Officers—Powers to Call Out**—The legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the legislature shall from time to time direct and shall be commissioned by the governor. The governor shall have power to call forth the militia to execute the laws of the state to suppress insurrections and repel invasions.

**Sec. 3. Soldiers' Home**—The legislature shall provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors, marines and members of the state militia disabled while in the line of duty and who are *bona fide* citizens of the state.

**Sec. 4. Public Arms**—The legislature shall provide by law, for the protection and safekeeping of the public arms.

**Sec. 5. Privilege From Arrest**—The militia shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters and elections of officers, and in going to and returning from the same.

**Sec. 6. Exemption From Military Duty**—No person or persons, having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace: *Provided*, Such person or persons shall pay an equivalent for such exemption.

### ARTICLE XI—COUNTY, CITY AND TOWNSHIP ORGANIZATION

**Sec. 1. Existing Counties Recognized** — The several counties of the Territory of Washington existing at the time of the adoption of this Constitution are hereby recognized as legal subdivisions of this state.

**Sec. 2. County Seats — Location and Removal** — No county seat shall be removed unless three-fifths of the qualified electors of the county, voting on the proposition at a general election shall vote in favor of such removal and three-fifths of all votes cast on the proposi-

tion shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years. (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

**Sec. 3. New Counties**—No new counties shall be established which shall reduce any county to a population less than four thousand (4,000), nor shall a new county be formed containing a less population than two thousand (2,000). There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor and then only under such other conditions as may be prescribed by a general law applicable to the whole state. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken: *Provided*, That in such accounting neither county shall be charged with any debt or liability then existing incurred in the purchase of any county property, or in the purchase or construction of any county buildings, then in use, or under construction, which shall fall within and be retained by the county: *Provided further*, That this shall not be construed to affect the rights of creditors.

**Sec. 4. County Government and Township Organization** — The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Any county may frame a "Home Rule" charter for its own government subject to the Constitution and laws of this state, and for such purpose the legislative authority of such county may cause an election to be had, at which election there shall be chosen by the qualified voters of said county not less than fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative authority, who shall have been residents of said county for a period of at least five (5) years preceding their election and who are themselves qualified electors, whose duty it shall be to convene within thirty (30) days after their election and prepare and propose a charter for such county. Such proposed charter shall be submitted to the qualified electors of said county, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said county and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter. Said proposed charter shall be pub-

lished in two (2) legal newspapers published in said county, at least once a week for four (4) consecutive weeks prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election and shall be given for at least ten (10) days before the day of election in all election districts of said county. Said elections may be general or special elections and except as herein provided, shall be governed by the law regulating and controlling general or special elections in said county. Such charter may be amended by proposals therefor submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

Any home rule charter proposed as herein provided, may provide for such county officers as may be deemed necessary to carry out and perform all county functions as provided by charter or by general law, and for their compensation, but shall not affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts.

Notwithstanding the foregoing provision for calling of an election by the legislative authority of such county for the election of freeholders to frame a county charter, registered voters equal in number to ten (10) per centum of the voters of any such county voting at the last preceding general election, may at any time propose by petition the calling of an election of freeholders. The petition shall be filed with the county auditor of the county at least three (3) months before any general election and the proposal that a board of freeholders be elected for the purpose of framing a county charter shall be submitted to the vote of the people at said general election, and at the same election a board of freeholders of not less than fifteen (15) or more than twenty-five (25), as fixed in the petition calling for the election, shall be chosen to draft the new charter. The procedure for nomination of qualified electors as candidates for said board of freeholders shall be prescribed by the legislative authority of the county, and the procedure for the framing of the charter and the submission of the charter as framed shall be the same as in the case of a board of freeholders chosen at an election initiated by the legislative authority of the county.

In calling for any election of freeholders as provided in this section, the legislative authority of the county shall apportion the number of freeholders to be elected in accordance with either the legislative districts or the county commissioner districts, if any, within said county, the number of said freeholders to be elected from each of said districts to be in proportion to the population of said districts as nearly as may be.

Should the charter proposed receive the affirmative vote of the majority of the electors voting thereon, the legislative authority of the county shall immediately call such special election as may be provided for therein, if any, and the county government shall be established in accordance with the terms of said charter not more than six (6) months after the election at which the charter was adopted.

The terms of all elective officers, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, who are in office at the time of the adoption of a Home Rule Charter shall terminate as provided in the charter. All appointive officers in office at the time the charter goes into effect, whose positions are not abolished thereby, shall continue until their successors shall have qualified.

After the adoption of such charter, such county shall continue to have all the rights, powers, privileges and benefits then possessed or thereafter conferred by general law. All the powers, authority and duties granted to and imposed on county officers by general law, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, shall be vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The legislative authority may by resolution delegate any of its executive or administrative powers, authority or duties not expressly vested in specific officers by the charter, to any county officer or officers or county employee or employees.

The provisions of sections 5, 6, 7, and the first sentence of section 8 of this Article as amended shall not apply to counties in which the government has been established by charter adopted under the provisions hereof. The authority conferred on the board of county commissioners by Section 15 of Article II as amended, shall be exercised by the legislative authority of the county. (Approved November 2, 1948. **AMENDMENT 21. L. '47, S. J. R. No. 5, p. 1372.)**

Original text — Art. 11, Sec. 4. COUNTY GOVERNMENT AND TOWNSHIP ORGANIZATION — *The legislature shall establish a system of county government which shall be uniform throughout the state, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county*

*voting at a general election shall so determine, and whenever a county shall adopt township organization the assessment and collection of the revenue shall be made and the business of such county, and the local affairs of the several townships therein shall be managed and transacted in the manner prescribed by such general laws.*

Sec. 5. County Government—The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district of-

ficers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: *Provided*, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: *Provided*, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. (L. 1971 p. 1829. S. J. R. No. 38, part.) **AMENDMENT 57**, part. Approved November, 1972.

Amendment 12 (1924)—  
 Art. 11. Sec. 5. COUNTY GOVERNMENT—*The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: Provided, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be*

*paid to them, or officially come into their possession. (L. 1923, p. 254, Sec. 1.) AMENDMENT 12. Approved November, 1924.*

Original text — Art. 11, Sec. 5. ELECTION AND COMPENSATION OF COUNTY OFFICERS—*The legislature by general and uniform laws shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township or precinct and district officers as public convenience may require, and shall prescribe their duties, and fix their term of office. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public moneys which may be paid to them, or officially come into their possession.*

Sec. 6. Vacancies in Township, Precinct or Road District Office—*The board of county commissioners in each county shall fill all vacancies occurring in any township,*

precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified. (1967 S. J. R. No. 24, part.) **AMENDMENT 52**, part. Approved November 5, 1968. (Governmental continuity during emergency periods: See Art. 2, Sec. 42. Vacancies in legislature and in partisan county elective office: See Art. 2, Sec. 15.)

Original text — Art. 11, Sec. 6. **VACANCIES IN COUNTY, ETC., OFFICES, HOW FILLED**—The board of county commissioners in each county shall fill all vacancies occurring in any county, township, precinct

or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified.

**Sec. 7. Tenure of Office Limited to Two Terms.** (This section repealed by **AMENDMENT 22**. L. 1947, p. 1385, H. J. R. No. 4, Approved November 2, 1948.)

Original text — Art. 11, Sec. 7. **TENURE OF OFFICE LIMITED TO TWO TERMS**—No county officer shall be

eligible to hold his office more than two terms in succession.

**Sec. 8. Salaries and Limitations Affecting.** The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. (L. 1971, p. 1829. S. J. R. No. 38, part.) **AMENDMENT 57**, part. Approved November, 1972.

Original text — Art. 11, Sec. 8. **SALARIES AND LIMITATIONS AFFECTING** — The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may

not be salaried officers. The salary of any county, city, town, or municipal officer shall not be increased or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

**Sec. 9. State Taxes Not to Be Released or Commuted**—No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

**Sec. 10. Incorporation of Municipalities**—Corporations for municipal purposes shall not be created by special laws; but the legislature by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may be-

come organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of ten thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in the daily newspaper of largest general circulation published in the area to be incorporated as a first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

(L. 1963 ex.s., p. 1526, S. J. R. No. 1, **AMENDMENT 40**. Approved November, 1964.) (Authority to incur and limit of indebtedness; see supra, Art. 8, Sec. 6.)

Original text — Art. 11, Sec. 10. INCORPORATION OF MUNICIPALITIES — Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the

*incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated*

may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of twenty thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any exist-

ing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given for at least ten days before the day of election, in all election districts of said city. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

**Sec. 11. Police and Sanitary Regulations**—Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

**Sec. 12. Assessment and Collection of Taxes in Municipalities**—The legislature shall have no power to impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal pur-

poses, but may, by general laws, vest in the corporate authorities thereof, the power to assess and collect taxes for such purposes.

**Sec. 13. Private Property, When May be Taken For Public Debt**—Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.

**Sec. 14. Private Use of Public Funds Prohibited**—The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

**Sec. 15. Deposit of Public Funds**—All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depository to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

**Sec. 16. Combined City-County**—Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county". Registered voters equal in number to ten (10) per cent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county charter. If there are not sufficient legal newspapers published in the county to meet the requirements for publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such "city-county" shall be formed except by a majority vote of the qualified electors voting thereon in the county. The charter shall designate the respective officers of such city-county who shall perform the duties imposed by law upon county officers. Every such city-county shall have and enjoy all rights, powers and privileges asserted in its charter, and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the

general laws applying to cities and those applying to counties, a city-county shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and city-county.

The provisions of sections 2, 3, 5, 6, and 8 and of the first paragraph of section 4 of this article shall not apply to any such city-county.

Municipal corporations may be retained or otherwise provided for within the city-county. The formation, powers and duties of such municipal corporations shall be prescribed by the charter.

No city-county shall for any purpose become indebted in any manner to an amount exceeding three per centum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county or other municipal purposes: *Provided further*, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: *Provided further*, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation. All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within that municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of

Article 7, section 1, or by Article 8, section 6 of this Constitution (L. 1971, p. 1831, H. J. R. No. 21.) **AMENDMENT 58.** Approved November, 1972.

Amendment 23 (1948)—  
Art. 11, Sec. 16. **COMBINED CITY AND COUNTY**—The legislature shall, by general law, provide for the formation of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and when organized, shall contain a population of at least three hundred thousand (300,000) inhabitants. No such city and county shall be formed except by a majority vote of the qualified electors of the areas proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: Provided, however, That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations: Provided further, That every such charter shall designate the respective officers of such city and county who shall perform the duties imposed by law upon county officers. Every such city and county shall have and enjoy all rights, powers and privileges asserted in its charter, not inconsistent with general laws, and in addition thereto, such rights, powers and privileges as may be granted

to it, or possessed and enjoyed by cities and counties of like population separately organized.

No county or county government existing outside the territorial limits of such county and city shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: Provided, That the provisions of sections 2, 3, 4, 5, 6, 7, and 8 of this article shall not apply to any such city and county: Provided further, That the salary of any elective or appointive officer of a city and county shall not be changed after his election or appointment or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and

county, their compensation, qualifications, term of office and manner of election or appointment shall be as provided for in its charter, subject to gen-

eral laws and applicable constitutional provision. (L. 1947, p. 1386, H. J. R. No. 13.) Added by AMENDMENT 23. Approved November 2, 1948.

## ARTICLE XII—CORPORATIONS OTHER THAN MUNICIPAL

**Sec. 1. Corporations, How Formed**—Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended or repealed by the legislature at any time, and all corporations doing business in this state may, as to such business, be regulated, limited, or restrained by law.

**Sec. 2. Existing Charters**—All existing charters, franchises, special or exclusive privileges, under which an actual and *bona fide* organization shall not have taken place, and business been commenced in good faith, at the time of the adoption of this Constitution shall thereafter have no validity.

**Sec. 3. Existing Charters Not to be Extended Nor Forfeiture Remitted**—The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this state.

**Sec. 4. Liability of Stockholders**—Each stockholder in all incorporated companies, except corporations organized for banking or insurance purposes, shall be liable for the debts of the corporation to the amount of his unpaid stock and no more; and one or more stockholders may be joined as parties defendant in suits to recover upon this liability.

**Sec. 5. Term "Corporation," Defined—Right to Sue and be Sued**—The term "corporations," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

**Sec. 6. Limitations Upon Issuance of Stock**—Corporations shall not issue stock, except to *bona fide* subscribers therefor, or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or labor done. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock, without the consent of the person or persons holding the larger amount in value of the stock, nor without due notice of the proposed increase having been previously given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

**Sec. 7. Foreign Corporations**—No corporation organized outside the limits of this state shall be allowed to transact business within the state on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this state.

**Sec. 8. Alienation of Franchise Not to Release Liabilities**—No corporation shall lease or alienate any franchise, so as to relieve the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee, or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise or any of its privileges.

**Sec. 9. State Not to Loan Its Credit or Subscribe For Stock**—The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association or corporation.

**Sec. 10. Eminent Domain Affecting**—The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.

**Sec. 11. Stockholder Liability**—No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

The legislature may provide that stockholders of banking corporations organized under the laws of this state which shall provide and furnish, either through membership in the Federal Deposit Insurance Corporation, or through membership in any other instrumentality of the government of the United States, insurance or security for the payment of the debts and obligations of such banking corporation equivalent to that required by the laws of the United States to be furnished and provided by national banking associations, shall be relieved from liability for the debts and obligations of such banking corporation to the same extent that stockholders of national banking associations are relieved from liability for the debts and obligations of such national banking associations under the laws of the United States. (L. 1939, p. 1024, S. J. R. No. 8.)  
**AMENDMENT 16.** Approved November, 1940.

Original text — Art. 12, Sec. 11. PROHIBITION AGAINST ISSUANCE OF MONEY AND LIABILITY OF STOCKHOLDERS IN BANKS — No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association,

shall be individually and personally liable equally and ratably and not for another, for all contracts, debts and engagements of such corporation or association accruing while they remain such stockholders to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

**Sec. 12. Receiving Deposits by Bank After Insolvency**—Any president, director, manager, cashier, or other officer of any banking institution, who shall receive or assent to the reception of deposits, after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances shall be individually responsible for such deposits so received.

**Sec. 13. Common Carriers, Regulation of**—All railroad, canal and other transportation companies are declared to be common carriers and subject to legislative control. Any association or corporation organized for the purpose, under the laws of this state, shall have the right to connect at the state line with railroads of other states. Every railroad company shall have the right with its road, whether the same be now constructed or may hereafter be constructed, to intersect, cross or connect with any other railroad, and when such railroads are of the same or similar gauge they shall at all crossings and at all points, where a railroad shall begin or terminate at or near any other railroad, form proper connections so that the cars of any such railroad companies may be speedily transferred from one railroad to another. All railroad companies shall receive and transport each of the other's passengers, tonnage and cars without delay or discrimination.

**Sec. 14. Prohibition Against Combinations by Carriers**—No railroad company, or other common carrier, shall combine or make any contract with the owners of any vessel that leaves port or makes port in this state, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying.

**Sec. 15. Prohibition Against Discriminating Charges**—No discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places or persons, or in the facilities for the transportation of the same classes of freight or passengers within this state, or coming from or going to any other state. Persons and property transported over any railroad, or by any other transportation company, or individual, shall be delivered at any station, landing or port, at charges not exceeding the charges for the transportation of persons and property of the same class, in the same direction, to any more distant station, port or landing. Excursion and commutation tickets may be issued at special rates. (See *infra*, Sec. 21.)

**Sec. 16. Prohibition Against Consolidating of Competing Lines**—No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a competing line.

**Sec. 17. Rolling Stock, Personalty for Purposes of Taxation**—The rolling stock and other movable property belonging to any railroad company or corporation in this state, shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals and such property shall not be exempted from execution and sale.

**Sec. 18. Maximum Rates for Transportation** — The

legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses and to prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads and other common carriers in the state, and shall enforce such laws by adequate penalties. A railroad and transportation commission may be established and its powers and duties fully defined by law.

**Sec. 19. Telegraph and Telephone Companies**—Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this state, and said companies shall receive and transmit each other's messages without delay or discrimination and all of such companies are hereby declared to be common carriers and subject to legislative control. Railroad corporations organized or doing business in this state shall allow telegraph and telephone corporations and companies to construct and maintain telegraph lines on and along the rights of way of such railroads and railroad companies, and no railroad corporation organized or doing business in this state shall allow any telegraph corporation or company any facilities, privileges or rates for transportation of men or material or for repairing their lines not allowed to all telegraph companies. The right of eminent domain is hereby extended to all telegraph and telephone companies. The legislature shall, by general law of uniform operation, provide reasonable regulations to give effect to this section. (Eminent domain. See supra, Art. 1, Sec. 16.)

**Sec. 20. Prohibition Against Free Transportation for Public Officers**—No railroad or other transportation company shall grant free passes, or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding any public office within this state. The legislature shall pass laws to carry this provision into effect.

**Sec. 21. Express Companies**—Railroad companies now or hereafter organized or doing business in this state, shall allow all express companies organized or doing business in this state, transportation over all lines of railroad owned or operated by such railroad companies upon equal terms with any other express company, and no railroad corporation organized or doing business in this state shall allow any express corporation or company any facilities, privileges or rates for transportation of men or materials or property carried by them or for doing the business of such express companies not allowed to all express companies. (See supra, Sec. 15.)

**Sec. 22. Monopolies and Trusts**—Monopolies and trusts shall never be allowed in this state, and no incorporated company, copartnership, or association of persons in this state shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders, or the trustees or assignees of such stockholders, or with any copartnership or association of persons, or in any man-

ner whatever for the purpose of fixing the price or limiting the production or regulating the transportation of any product or commodity. The legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary for that purpose, may declare a forfeiture of their franchises.

### ARTICLE XIII—STATE INSTITUTIONS

Sec. 1. **Educational, Reformatory and Penal Institutions**—Educational, reformatory, and penal institutions; those for the benefit of blind, deaf, dumb, or otherwise defective youth; for the insane or idiotic; and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of all such institutions existing at the time of the adoption of this Constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by yeas and nays, and entered upon the journal.

### ARTICLE XIV—SEAT OF GOVERNMENT

Sec. 1. **State Capital, Location of**—The legislature shall have no power to change, or to locate the seat of government of this state; but the question of the permanent location of the seat of government of the state shall be submitted to the qualified electors of the Territory, at the election to be held for the adoption of this Constitution. A majority of all the votes cast at said election, upon said question, shall be necessary to determine the permanent location of the seat of government for the state; and no place shall ever be the seat of government which shall not receive a majority of the votes cast on that matter. In case there shall be no choice of location at said first election the legislature shall, at its first regular session after the adoption of this Constitution, provide for submitting to the qualified electors of the state, at the next succeeding general election thereafter, the question of choice of location between the three places for which the highest number of votes shall have been cast at the said first election. Said legislature shall provide further that in case there shall be no choice of location at said second election, the question of choice between the two places for which the highest number of votes shall have been cast, shall be submitted in like manner to the qualified electors of the state at the next ensuing general election: *Provided*, That until the seat of government shall have been permanently located as herein provided, the temporary location thereof shall remain at the city of Olympia. (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

Sec. 2. **Change of State Capital**—When the seat of government shall have been located as herein provided, the location thereof shall not thereafter be changed except by a vote of two-thirds of all the qualified electors

of the state voting on that question, at a general election, at which the question of location of the seat of government shall have been submitted by the legislature. (Governmental continuity during emergency periods: See Art. 2, Sec. 42.)

**Sec. 3. Restrictions on Appropriations for Capitol Buildings**—The legislature shall make no appropriations or expenditures for capitol buildings or grounds, except to keep the Territorial capitol buildings and grounds in repair, and for making all necessary additions thereto, until the seat of government shall have been permanently located, and the public buildings are erected at the permanent capital in pursuance of law.

#### ARTICLE XV—HARBORS AND TIDE WATERS

**Sec. 1. Harbor Line Commission and Restraint on Disposition**—The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city, or within one mile thereof on either side. Any harbor line so located or established may thereafter be changed, relocated or re-established by the commission pursuant to such provision as may be made therefor by the legislature. The state shall never give, sell or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high water, and within not less than fifty feet nor more than two thousand feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce. (L. 1931, p. 417, Sec. 1.)

**AMENDMENT 15.** Approved November, 1932. (Tide lands, see *infra*, Art. 17.)

Original text — Art. 15, Sec. 1. HARBOR LINE COMMISSION AND RESTRAINT ON DISPOSITION OF CERTAIN TIDE LANDS — *The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof on either side. The state shall never give, sell or lease to any private person, corpora-*

*tion or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.*

**Sec. 2. Leasing and Maintenance of Wharves, Docks, Etc.**—The legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures, upon the areas mentioned in section one of this article, but no lease shall be made for any term longer than thirty years, or the legislature may provide by general laws for the building and maintaining upon such area wharves, docks, and other structures.

**Sec. 3. Extension of Streets Over Tide Lands**—Municipal corporations shall have the right to extend their streets over intervening tide lands to and across the area reserved as herein provided.

#### ARTICLE XVI—SCHOOL AND GRANTED LANDS

**Sec. 1. Disposition of**—All the public lands granted to the state are held in trust for all the people and none of such lands, nor any estate or interest therein, shall ever be disposed of unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the state; nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

**Sec 2. Manner and Terms of Sale**—None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder, the value thereof, less the improvements shall, before any sale, be appraised by a board of appraisers to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of such lands for disposal the value of the improvements thereon shall be excluded: *Provided*, That the sale of all school and university land heretofore made by the commissioners of any county or the university commissioners when the purchase price has been paid in good faith, may be confirmed by the legislature.

**Sec. 3. Limitations on Sales**—No more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January first, eighteen hundred and ninety-five, and not more than one-half prior to January first, nineteen hundred and five: *Provided*, That nothing herein shall be so construed as to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law: *And provided*, That no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

**Sec. 4. How Much May be Offered in Certain Cases—Platting of**—No more than one hundred and sixty acres of any granted lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city or within two miles of the boundary of any incorporated city where the valuation of

such land shall be found by appraisement to exceed one hundred dollars per acre shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.

**Sec. 5. Investment of Permanent Common School Fund**—The permanent common school fund of this state may be invested as authorized by law. (L. 1965 ex.s., p. 2817, S. J. R. No. 22, part 2.) **AMENDMENT 44.** Approved November 8, 1966.

**Amendment 1 (1894)**—**Art. 16, Sec. 5. INVESTMENT OF SCHOOL FUND**—*None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds.* (L. 1893, p. 9, Sec. 1.) **AMENDMENT 1.** Adopted November, 1894.

**Original text** — **Art. 16, Sec. 5. INVESTMENT OF PERMANENT SCHOOL FUND** — *None of the permanent school fund shall ever be loaned to private persons or corporations, but it may be invested in national, state, county or municipal bonds.*

#### **ARTICLE XVII—TIDE LANDS**

**Sec. 1. Declaration of State Ownership**—The state of Washington asserts its ownership to the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide, in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes: *Provided*, That this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state. (Harbors and Tide Waters. See *supra*, Art. 15.)

**Sec. 2. Disclaimer of Certain Lands**—The state of Washington disclaims all title in and claim to all tide, swamp and overflowed lands, patented by the United States: *Provided*, The same is not impeached for fraud.

#### **ARTICLE XVIII—STATE SEAL**

**Sec. 1. Seal of the State**—The seal of the state of Washington shall be, a seal encircled with the words: "The Seal of the State of Washington," with the vignette of General George Washington as the central figure, and beneath the vignette the figures "1889." (Custody of seal: Art. 3, Sec. 18.)

#### **ARTICLE XIX—EXEMPTIONS**

**Sec. 1. Exemptions—Homesteads, Etc.** — The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families.

#### **ARTICLE XX—PUBLIC HEALTH AND VITAL STATISTICS**

**Sec. 1. Board of Health and Bureau of Vital Statistics**—There shall be established by law a state board of health and a bureau of vital statistics in connection

therewith, with such powers as the legislature may direct.

**Sec. 2. Regulations Concerning Medicine, Surgery and Pharmacy**—The legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.

#### **ARTICLE XXI—WATER AND WATER RIGHTS**

**Sec. 1. Public Use of Water**—The use of the waters of this state for irrigation, mining and manufacturing purposes shall be deemed a public use.

#### **ARTICLE XXII—LEGISLATIVE APPORTIONMENTS**

**Sec. 1 Senatorial Apportionment** — Until otherwise provided by law, the state shall be divided into twenty-four senatorial districts, and said districts shall be constituted and numbered as follows: The counties of Stevens and Spokane shall constitute the first district, and be entitled to one senator; the county of Spokane shall constitute the second district, and be entitled to three senators; the county of Lincoln shall constitute the third district, and be entitled to one senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the fourth district, and be entitled to one senator; the county of Whitman shall constitute the fifth district, and be entitled to three senators; the counties of Garfield and Asotin shall constitute the sixth district, and be entitled to one senator; the counties of Columbia shall constitute the seventh district, and be entitled to one senator; the county of Walla Walla shall constitute the eighth district, and be entitled to two senators; the counties of Yakima and Douglas shall constitute the ninth district, and be entitled to one senator; the county of Kittitas shall constitute the tenth district, and be entitled to one senator; the counties of Klickitat and Skamania shall constitute the eleventh district, and be entitled to one senator; the county of Clark shall constitute the twelfth district, and be entitled to one senator; the county of Cowlitz shall constitute the thirteenth district, and be entitled to one senator; the county of Lewis shall constitute the fourteenth district, and be entitled to one senator; the counties of Pacific and Wahkiakum shall constitute the fifteenth district, and be entitled to one senator; the county of Thurston shall constitute the sixteenth district, and be entitled to one senator; the county of Chehalis shall constitute the seventeenth district, and be entitled to one senator; the county of Pierce shall constitute the eighteenth district, and be entitled to three senators; the county of King shall constitute the nineteenth district, and be entitled to five senators; the counties of Mason and Kitsap shall constitute the twentieth district, and be entitled to one senator; the counties of Jefferson, Clallam and San Juan shall constitute the twenty-first district, and be entitled to one senator; the county of Snohomish shall constitute the twenty-second district, and shall be entitled to one senator; the counties of Skagit and Island shall constitute the twenty-third district, and be entitled to one

senator; the county of Whatcom shall constitute the twenty-fourth district, and be entitled to one senator. (Senatorial districts: RCW ch. 44.08.)

**Sec. 2. Apportionment of Representatives**—Until otherwise provided by law the representatives shall be divided among the several counties of the state in the following manner: the county of Adams shall have one representative; the county of Asotin shall have one representative; the county of Chehalis shall have two representatives; the county of Clark shall have three representatives; the county of Clallam shall have one representative; the county of Columbia shall have two representatives; the county of Cowlitz shall have one representative; the county of Douglas shall have one representative; the county of Franklin shall have one representative; the county of Garfield shall have one representative; the county of Island shall have one representative; the county of Jefferson shall have two representatives; the county of King shall have eight representatives; the county of Klickitat shall have two representatives; the county of Kittitas shall have two representatives; the county of Kitsap shall have one representative; the county of Lewis shall have two representatives; the county of Lincoln shall have two representatives; the county of Mason shall have one representative; the county of Okanogan shall have one representative; the county of Pacific shall have one representative; the county of Pierce shall have six representatives; the county of San Juan shall have one representative; the county of Skamania shall have one representative; the county of Snohomish shall have two representatives; the county of Skagit shall have two representatives; the county of Spokane shall have six representatives; the county of Stevens shall have one representative; the county of Thurston shall have two representatives; the county of Walla Walla shall have three representatives; the county of Wahkiakum shall have one representative; the county of Whatcom shall have two representatives; the county of Whitman shall have five representatives; the county of Yakima shall have one representative. (Apportionment of representatives: RCW ch. 44.12.)

## ARTICLE XXIII—AMENDMENTS

**Sec. 1. How Made**—Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: *Provided*, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also

cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: *Provided*, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. (L. 1961, p. 2753, S. J. R. No. 25.) **AMENDMENT 37.** Approved November, 1962.

Original text — Art. 23, Sec. 1. **HOW MADE**—Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting there-

on, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor; *Provided*, that if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such (each) amendment separately. The legislature shall also cause the amendments that are to be submitted to the people to be published for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the state.

**Sec. 2. Constitutional Conventions**—Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election, for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members, not less than that of the most numerous branch of the legislature.

**Sec. 3. Submission to the People**—Any constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

#### **ARTICLE XXIV—BOUNDARIES**

**Sec. 1. State Boundaries**—The boundaries of the state of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel

of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified by appropriate interstate compacts duly approved by the Congress of the United States. (L. 1957, p. 1292, S. J. R. No. 10.)

**AMENDMENT 33.** Approved November, 1958.

Original text — Art. 24, Sec. 1. **STATE BOUNDARIES**—*The boundaries of the state of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite of the middle of the mouth of the north ship channel of the Columbia river; thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of*

*north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude one hundred and twenty-three degrees, nineteen minutes and fifteen seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's island and Tatoosh island lighthouse, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning.*

#### **ARTICLE XXV—JURISDICTION**

Sec. 1. **Authority of the United States**—The consent of the State of Washington is hereby given to the exercise, by the congress of the United States, of exclusive

legislation in all cases whatsoever over such tract or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, lighthouses and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the Constitution of the United States, so long as the same shall be so held and reserved by the United States: *Provided*, That a sufficient description by metes and bounds, and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents or other evidences in writing of the title of the United States: *And provided*, That all civil process issued from the courts of this state and such criminal process as may issue under the authority of this state against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon in the same mode and manner, and by the same officers, as if the consent herein given had not been made.

#### ARTICLE XXVI—COMPACT WITH THE UNITED STATES

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:—

First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That the people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries of this state, and to all lands lying within said limits owned or held by any Indian or Indian tribe; and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States and that the lands belonging to citizens of the United States residing without the limits of this state shall never be taxed at a higher rate than the lands belonging to residents thereof; and that no taxes shall be imposed by the state on lands or property therein, belonging to or which may be hereafter purchased by the United States or reserved for use: *Provided*, That nothing in this ordinance shall preclude the state from taxing as other lands are taxed any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation, which exemption shall continue so long and to such an extent as such act of congress may prescribe.

Third. The debts and liabilities of the Territory of Washington and payment of the same are hereby assumed by this state.

Fourth. Provision shall be made for the establishment and maintenance of systems of public schools free from sectarian control which shall be open to all the children of said state.

#### ARTICLE XXVII—SCHEDULE

In order that no inconvenience may arise by reason of a change from a Territorial to a State government, it is hereby declared and ordained as follows:—

**Sec. 1. Existing Rights, Actions and Contracts Saved**—No existing rights, actions, suits, proceedings, contracts or claims shall be affected by a change in the form of government, but all shall continue as if no such change had taken place; and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the Union shall be as valid as if issued in the name of the state.

**Sec. 2. Laws in Force Continued**—All laws now in force in the Territory of Washington, which are not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature: *Provided*, That this section shall not be so construed as to validate any act of the legislature of Washington Territory granting shore or tide lands to any person, company or any municipal or private corporation.

**Sec. 3. Debts, Fines, Etc., to Inure to the State**—All debts, fines, penalties and forfeitures, which have accrued, or may hereafter accrue, to the Territory of Washington, shall inure to the State of Washington.

**Sec. 4. Recognizances**—All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government shall remain valid, and shall pass to, and may be prosecuted in the name of the state; and all bonds executed to the Territory of Washington or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims or debts, of whatever description, belonging to the Territory of Washington, shall inure to and vest in the State of Washington, and may be sued for and recovered in the same manner, and to the same extent, by the state of Washington, as the same could have been by the Territory of Washington.

**Sec. 5. Criminal Prosecutions and Penal Actions**—All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment, and execution in the name of the state. All offenses committed against the laws of the Territory of Washington, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may

be prosecuted in the name and by the authority of the State of Washington, with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued, and transferred to the court of the state having jurisdiction of the subject matter thereof.

**Sec. 6. Retention of Territorial Officers**—All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

**Sec. 7. Constitutional Officers, When Elected**—All officers provided for in this Constitution including a county clerk for each county when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this Constitution on the first Tuesday of October, eighteen hundred and eighty-nine.

**Sec. 8. Change of Courts—Transfer of Causes**—Whenever the judge of the superior court of any county, elected or appointed under the provisions of this Constitution shall have qualified, the several causes then pending in the district court of the territory except such causes as would have been within the exclusive jurisdiction of the United States district court had such court existed at the time of the commencement of such causes, within such county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court of such county. And where the same judge is elected for two or more counties, it shall be the duty of the clerk of the district court having custody of such papers and records to transmit to the clerk of such county, or counties, other than that in which such records are kept, the original papers in all cases pending in such district court and belonging to the jurisdiction of such county or counties together with transcript of so much of the records of said district court as relate to the same; and until the district courts of the Territory shall be superseded in manner aforesaid, the said district courts and the judges thereof, shall continue with the same jurisdiction and powers, to be exercised in the same judicial districts respectively, as heretofore constituted under the laws of the Territory. Whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the Territory, except such causes as would have been within the exclusive jurisdiction of the United States, circuit court had such court existed at the time of the commencement of such causes, and the papers, records and proceedings of said court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded, the supreme

court of the Territory and the judges thereof, shall continue with like powers and jurisdiction as if this Constitution had not been adopted.

**Sec. 9. Seals of Courts and Municipalities**—Until otherwise provided by law, the seal now in use in the supreme court of the Territory shall be the seal of the supreme court of the state. The seals of the superior courts of the several counties of the state shall be, until otherwise provided by law, the vignette of General George Washington with the words: "Seal of the Superior Court of .....county" surrounding the vignette. The seal of municipalities, and of all county officers of the Territory, shall be the seals of such municipalities, and county officers respectively under the state, until otherwise provided by law.

**Sec. 10. Probate Court, Transfer of**—When the state is admitted into the Union, and the superior courts in their respective counties organized, the books, records, papers and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall, upon the expiration of the term of office of the probate judges, on the second Monday in January, eighteen hundred and ninety-one, pass into the jurisdiction and possession of the superior court of the same county created by this Constitution, and the said court shall proceed to final judgment or decree, order or other determination in the several matters and causes, as the territorial probate court might have done, if this Constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the Territory. The superior courts shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

**Sec. 11. Duties of First Legislature**—The legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this constitution, and fix the time for the commencement and duration of their term.

**Sec. 12. Election Contests for Superior Judges, How Decided**—In case of a contest of election between candidates, at the first general election under this Constitution, for judges of the superior courts, the evidence shall be taken in the manner prescribed by the Territorial laws, and the testimony so taken shall be certified to the secretary of state; and said officer, together with the governor and treasurer of state, shall review the evidence and determine who is entitled to the certificate of election.

**Sec. 13. Representation in Congress**—One representative in the congress of the United States shall be elected from the state at large, at the first election provided for in this Constitution; and thereafter, at such times and places, and in such manner, as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in con-

gress, at the first election, shall be canvassed, and the result determined in the manner provided for by the laws of the Territory for the canvass of the vote for delegate in congress.

**Sec. 14. Duration of Term of Certain Officers**—All district, county and precinct officers, who may be in office at the time of the adoption of this Constitution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D., eighteen hundred and ninety-one, and until such time as their successors may be elected and qualified, in accordance with the provisions of this Constitution; and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted. And such officers shall continue to receive the compensation now provided, until the same be changed by law.

**Sec. 15. Election on Adoption of Constitution, How to be Conducted**—The election held at the time of the adoption of this Constitution shall be held and conducted in all respects according to the laws of the Territory, and the votes cast at said election for all officers (where no other provisions are made in this Constitution), and for the adoption of this Constitution and the several separate articles and the location of the state capital, shall be canvassed and returned in the several counties in the manner provided by Territorial law, and shall be returned to the secretary of the Territory in the manner provided by the Enabling Act.

**Sec. 16. When Constitution to Take Effect**—The provisions of this Constitution shall be in force from the day on which the president of the United States shall issue his proclamation declaring the State of Washington admitted into the Union, and the terms of all officers elected at the first election under the provisions of this Constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.

**Sec. 17. Separate Articles**—The following separate articles shall be submitted to the people for adoption or rejection at the election for the adoption of this Constitution:—

**Separate Article No. 1.** "All persons male and female of the age of twenty-one years or over, possessing the other qualifications, provided by this Constitution, shall be entitled to vote at all elections."

**Separate Article No. 2.** "It shall not be lawful for any individual, company or corporation, within the limits of this state, to manufacture, or cause to be manufactured, or to sell, or offer for sale, or in any manner dispose of any alcoholic, malt or spirituous liquors, except for medicinal, sacramental or scientific purposes."

If a majority of the ballots cast at said election on said separate articles be in favor of the adoption of either of said separate articles, then such separate article so receiving a majority shall become a part of this Constitution and shall govern and control any provision of the Constitution in conflict therewith.

**Sec. 18. Ballot**—The form of ballot to be used in

voting for or against this Constitution, or for or against the separate articles, or for the permanent location of the seat of government, shall be:

1. For the Constitution—  
Against the Constitution—.
2. For Woman Suffrage Article—  
Against Woman Suffrage Article—.
3. For Prohibition Article—  
Against Prohibition Article—.
4. For the Permanent Location of the Seat of Government. (Name of place voted for.)

The result of the election was against both woman suffrage and prohibition.

Sec. 19. **Appropriation**—The legislature is hereby authorized to appropriate from the state treasury sufficient money to pay any of the expenses of this convention not provided for by the Enabling Act of Congress.

#### **ARTICLE XXVIII—COMPENSATION OF STATE OFFICERS**

Sec. 1. **Compensation of State Officers**—All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. (L. 1947, p. 1371, S. J. R. No. 4.) **AMENDMENT 20**. Approved November 2, 1948.

(Compensation of State Officers, see RCW 43.03.010 (authorizing compensation increase during term: See Art. 30, Sec. 1.)

#### **ARTICLE XXIX—INVESTMENTS OF PUBLIC PENSION AND RETIREMENT FUNDS**

Sec. 1. **May Be Invested as Authorized by Law**—Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund may be invested as authorized by law. (1967 S. J. R. No. 5.) **AMENDMENT 49**. Approved November 5, 1968.

#### **ARTICLE XXX<sup>①</sup>—COMPENSATION OF PUBLIC OFFICERS<sup>②</sup>**

Sec. 1. **Authorizing Compensation Increase During Term**—The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, including judges of courts of record and the justice courts may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered.

The provisions of section 25 of Article II (Amendment 35), section 25 of Article III (Amendment 31), section 13 of Article IV, section 8 of Article XI, and section 1 of Article XXVIII (Amendment 20) insofar as they are inconsistent herewith are hereby repealed. (1967 H. J. R. No. 13.) **AMENDMENT 54.** Approved November 5, 1968.

**Reviser's Note:** ① Amendment 49 (1967 SJR No. 5) and Amendment 54 (1967 HJR No. 13) each added a new Article XXIX to the Constitution. Amendment 49 is carried

herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.

②The name of this article has been supplied by the reviser.

#### **ARTICLE XXXI①—SEX EQUALITY— RIGHTS AND RESPONSIBILITIES**

Sec. 1. Equality of rights and responsibility under the law shall not be denied or abridged on account of sex.

Sec. 2. The legislature shall have the power to enforce by appropriate legislation, the provisions of this article. (L. 1972, p. 526, H. J. R. No. 61.) **AMENDMENT 61.** Approved November, 1972.

**Reviser's Note:** ①The name of this article has been supplied by the reviser.

#### **CERTIFICATE**

We, the undersigned, members of the convention to form a Constitution for the State of Washington; which is to be submitted to the people for their adoption or rejection, do hereby declare this to be the Constitution formed by us, and in testimony thereof, do hereunto set our hands, this twenty-second day of August, Anno Domini, one thousand eight hundred and eighty-nine.

JOHN P. HOYT, President,  
J. J. BROWNE,  
N. G. BLALOCK,  
JOHN F. GOWEY,  
FRANK M. DALLAM,  
JAMES Z. MOORE,  
E. H. SULLIVAN,

GEORGE TURNER,  
AUSTIN MIRES,  
M. M. GODMAN,  
GWIN HICKS,  
WM. F. PROSSER,  
LOUIS SOHNS,  
A. A. LINDSLEY,

# CONSTITUTIONAL AMENDMENTS

## AMENDMENT 1

Art. 16, Sec. 5. **Investment of School Fund**—None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds. (L. 1893, p. 9, Sec. 1.) Adopted November, 1894.

## AMENDMENT 2

Art. 6, Sec. 1. **Qualifications of Voters**—All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *And further provided*, That this amendment shall not effect [affect] the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section. (L. 1895, p. 60, Sec. 1.) Approved November, 1896. (See Amendment 5, *infra*.)

## AMENDMENT 3

Art. 7, Sec. 2, was amended by adding the following proviso: "*And provided further*, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of \$300 for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and *bona fide* owner." (L. 1899, p. 121, Sec. 1.) Approved November, 1900.

## AMENDMENT 4

Art. 1, Sec. 11. **Religious Freedom**—Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. *Provided, however*, That this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary, and for such of the state reformatories as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of

religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. (L. 1903, p. 283, Sec. 1.) Approved November, 1904. (See Amendment 34, *infra*.)

#### AMENDMENT 5

Art. 6 was amended by striking from said article all of sections one (1) and two (2) and inserting in lieu thereof the following, to be known as section one (1):

Sec. 1. **Qualifications of Electors**—All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *And further provided*, That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex. (L. 1909, p. 26, Sec. 1.) Approved November, 1910.

#### AMENDMENT 6

Art. 3, Sec. 10. **Vacancy in Office of Governor**—In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, *viz.*: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed, or a governor be elected; and in case of the death, disability, failure or refusal of both the governor and the lieutenant governor elect to qualify, the duties of the governor shall devolve upon the secretary of state; and in addition to the line of succession to the office and duties of governor as hereinabove indicated, if there shall be the failure or refusal of any officers named above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy

in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office only until the disability be removed, or a governor be elected and qualified; and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term. (L. 1909, p. 642, Sec. 1.) Approved November, 1910.

#### AMENDMENT 7

Art 2 was amended by striking all of sections 1 and 31, and inserting in lieu thereof as section 1 the following, so that the same shall read as follows:

Art. 2, Sec. 1. **Legislative Powers, Where Vested**—The legislative authority of the State of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the State of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.

(a) Initiative: The first power reserved by the people is the initiative. Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measure shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one

dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted. Six per centum, but in no case more than thirty thousand, of the legal voters shall be required to sign and make a valid referendum petition.

(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.

(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular elections, except where the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: *Provided*, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any

member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon. (L. 1911, p. 136, Sec. 1.) Approved November, 1912. [Note: Parts of AMENDMENT 7 have been superseded, see AMENDMENTS 26, 30 and 36.]

#### AMENDMENT 8

Art. 1 was amended by adding the two following sections:

**Sec. 33. Recall of Elective Officers**—Every elective public officer in the State of Washington except [except] judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided.

**Sec. 34. Same**—The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: *Provided*, That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of lawmaking nor in any way limit the initiative and referendum powers preserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein men-

tioned, and state senators and representatives, thirty-five per cent. (L. 1911, p. 504, Sec. 1.) Approved November, 1912.

#### AMENDMENT 9

Art. 1, Sec. 16. **Eminent Domain**—Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public: *Provided*, That the taking of private property by the state for land reclamation and settlement purposes is hereby declared to be for public use. (L. 1919, p. 385, Sec. 1.) Approved November, 1920.

#### AMENDMENT 10

Art. 1, Sec. 22. **Rights of the Accused**—In criminal prosecutions the accused shall have the right to appear and defend in person, or by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed and the right to appeal in all cases: *Provided*, The route traversed by any railway coach, train or public conveyance, and the water traversed by any boat shall be criminal districts; and the jurisdiction of all public offenses committed on any such railway car, coach, train, boat or other public conveyance, or at any station or depot upon such route, shall be in any county through which the said car, coach, train, boat or other public conveyance may pass during the trip or voyage or in which the trip or voyage may begin or terminate. In no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed. (L. 1921, p. 79, Sec. 1.) Approved November, 1922.

#### AMENDMENT 11

Art. 8, Sec. 4. **Moneys Disbursed Only by Appropriations**—No moneys shall ever be paid out of the trea-

sury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within one calendar month after the end of the next ensuing fiscal biennium, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum. (L. 1921, p. 80, Sec. 1.) Approved November, 1922.

#### AMENDMENT 12

Art. 11, Sec. 5. **County Government**—The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: *Provided*, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession. (L. 1923, p. 254, Sec. 1.) Approved November, 1924.

#### AMENDMENT 13

Art. 2, Sec. 15. **Vacancies in Legislature**—Such vacancies as may occur in either house of the legislature shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: *Provided*, That in case of a vacancy occurring in the office of joint senator, the vacancy shall be filled by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial district. (L. 1929, p. 690.) Approved November, 1930, (Superseeded by Amendment 13, approved November, 1956.)

#### AMENDMENT 14

Article 7 is amended by striking out all of sections 1, 2, 3 and 4, and inserting in lieu thereof the following, to be known as section 1:

Art. 7, Sec. 1. **Taxation**—The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax and shall be levied, and collected for public purposes only. The word "property" as used herein shall mean and include everything, whether tangible or

intangible, subject to ownership. All real estate shall constitute one class: *Provided*, That the legislature may tax mines and mineral resources and lands devoted to reforestation by either a yield tax or ad valorem tax at such rate as it may fix, or by both. Such property as the legislature may by general laws provide shall be exempt from taxation. Property of the United States and of the state, counties, school districts and other municipal corporations, and credits secured by property actually taxed in this state, not exceeding in value the value of such property, shall be exempt from taxation. The legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred (\$300.00) dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual *bona fide* owner. (L. 1929, p. 499, Sec. 1.) Approved November, 1930. (New Sec. 2 added through Amendment 17.) Approved November, 1944.

#### AMENDMENT 15

Art. 15, Sec. 1. **Harbor Line Commission and Restraint on Disposition**—The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city, or within one mile thereof on either side. Any harbor line so located or established may thereafter be changed, relocated or re-established by the commission pursuant to such provision as may be made therefor by the legislature. The state shall never give, sell or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high water, and within not less than fifty feet nor more than two thousand feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce. (L. 1931, p. 417, Sec. 1.) Approved November, 1932.

#### AMENDMENT 16

Art. 12, Sec. 11. **Stockholder Liability**—No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

The legislature may provide that stockholders of banking corporations organized under the laws of this state which shall provide and furnish, either through membership in the Federal Deposit Insurance Corporation, or through membership in any other instrumentality of the government of the United States, insurance or security for the payment of the debts and obligations of such banking corporation equivalent to that required by the laws of the United States to be furnished and provided by national banking associations, shall be relieved from liability for the debts and obligations of such banking corporation to the same extent that stockholders of national banking associations are relieved from liability for the debts and obligations of such national banking associations under the laws of the United States. (L. 1939, S. J. R. No. 8, Sec. 11, p. 1025.) Approved November, 1940.

#### AMENDMENT 17

Art. 7, Sec. 2. **Forty Mill Limit**—Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum of the true and fair value of such property in money: *Provided, however,* That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only:

(a) by any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) by any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during

the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided*, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein: *And provided further*, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) by the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. (L. 1943, H. J. R. No. 1, p. 936.) Approved November, 1944.

#### AMENDMENT 18

Art. 2, Sec. 40. **Highway Funds**—All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes. Such highway purposes shall be construed to include the following:

(a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;

(b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street;

(c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof for which any of the revenues described in section 1 may have been legally pledged prior to the effective date of this act;

(d) Refunds authorized by law for taxes paid on motor vehicle fuels;

(e) The cost of collection of any revenues described in this section:

*Provided*, That this section shall not be construed to include revenue from general or special taxes or excises not levied primarily for highway purposes, or apply to vehicle operator's license fees or any excise tax imposed on motor vehicles or the use thereof in lieu of a

property tax thereon, or fees for certificates of ownership of motor vehicles. (L. 1943, H. J. R. No. 4, p. 938.) Approved November, 1944.

#### AMENDMENT 19

Art. 7, Sec. 3. **Taxation of Federal Agencies and Property**—The United States and its agencies and instrumentalities, and their property, may be taxed under any of the tax laws of this state, whenever and in such manner as such taxation may be authorized or permitted under the laws of the United States, notwithstanding anything to the contrary in the Constitution of this state. (L. 1945, H. J. R. No. 9, p. 932.) Approved November, 1946.

#### AMENDMENT 20

Art. 28, Sec. 1. **Compensation of State Officers**—All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed. (L. 1947, S. J. R. No 4, p. 1371.) Approved November 2, 1948. (Authorizing compensation increase during term: See Amendment 54.)

#### AMENDMENT 21

Art. 11, Sec. 4. **County Government and Township Organization**—The legislature shall establish a system of county government, which shall be uniform throughout the state except as hereinafter provided, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Any county may frame a "Home Rule" charter for its own government subject to the Constitution and laws of this state, and for such purpose the legislative authority of such county may cause an election to be had, at which election there shall be chosen by the qualified voters of said county not less than fifteen (15) nor more than twenty-five (25) freeholders thereof, as determined by the legislative authority, who shall have been residents of said county for a period of at least five (5) years preceding their election and who are themselves qualified electors, whose duty it shall be to convene within thirty (30) days after their election and prepare and propose a charter for such

county. Such proposed charter shall be submitted to the qualified electors of said county, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said county and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter. Said proposed charter shall be published in two (2) legal newspapers published in said county, at least once a week for four (4) consecutive weeks prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election and shall be given for at least ten (10) days before the day of election in all election districts of said county. Said elections may be general or special elections and except as herein provided, shall be governed by the law regulating and controlling general or special elections in said county. Such charter may be amended by proposals therefor submitted by the legislative authority of said county to the electors thereof at any general election after notice of such submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the choice of the voters and may be voted on separately without prejudice to others.

Any home rule charter proposed as herein provided, may provide for such county officers as may be deemed necessary to carry out and perform all county functions as provided by charter or by general law, and for their compensation, but shall not affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts.

Notwithstanding the foregoing provision for calling of an election by the legislative authority of such county for the election of freeholders to frame a county charter, registered voters equal in number to ten (10) per centum of the voters of any such county voting at the last preceding general election, may at any time propose by petition the calling of an election of freeholders. The petition shall be filed with the county auditor of the county at least three (3) months before any general election and the proposal that a board of freeholders be elected for the purpose of framing a county charter shall be submitted to the vote of the people at said general election, and at the same election a board of freeholders of not less than fifteen (15) or more than twenty-five (25), as fixed in the petition calling for the election, shall be chosen to draft the new charter. The procedure for nomination of qualified electors as candidates for said board of freeholders shall be prescribed by the legislative authority of the county, and the procedure for the framing of the charter and the submission of the charter as framed shall be the same as in the case of a board

of freeholders chosen at an election initiated by the legislative authority of the county.

In calling for any election of freeholders as provided in this section, the legislative authority of the county shall apportion the number of freeholders to be elected in accordance with either the legislative districts or the county commissioner districts, if any, within said county, the number of said freeholders to be elected from each of said districts to be in proportion to the population of said districts as nearly as may be.

Should the charter proposed receive the affirmative vote of the majority of the electors voting thereon, the legislative authority of the county shall immediately call such special election as may be provided for therein, if any, and the county government shall be established in accordance with the terms of said charter not more than six (6) months after the election at which the charter was adopted.

The terms of all elective officers, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, who are in office at the time of the adoption of a Home Rule Charter shall terminate as provided in the charter. All appointive officers in office at the time the charter goes into effect, whose positions are not abolished thereby shall continue until their successors shall have qualified.

After the adoption of such charter, such county shall continue to have all the rights, powers, privileges and benefits then possessed or thereafter conferred by general law. All the powers, authority and duties granted to and imposed on county officers by general law, except the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, shall be vested in the legislative authority of the county unless expressly vested in specific officers by the charter. The legislative authority may by resolution delegate any of its executive or administrative powers, authority or duties not expressly vested in specific officers by the charter, to any county officer or officers or county employee or employees.

The provisions of sections 5, 6, 7, and the first sentence of section 8 of this Article as amended shall not apply to counties in which the government has been established by charter adopted under the provisions hereof. The authority conferred on the board of county commissioners by Section 15 of Article II as amended, shall be exercised by the legislative authority of the county. (L. 1947, S. J. R. No. 5, p. 1372.) Approved November 2, 1948.

#### AMENDMENT 22

Art. 11, Sec. 7. Constitution of the State of Washington is hereby repealed. (L. 1947, H. J. R. No. 4, p. 1335.) Approved November 2, 1948.

#### AMENDMENT 23

Art 11. Sec. 16. Combined City and County—The legislature shall, by general law, provide for the forma-

tion of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and when organized, shall contain a population of at least three hundred thousand (300,000) inhabitants. No such city and county shall be formed except by a majority vote of the qualified electors of the area proposed to be included therein and also by a majority vote of the qualified electors of the remainder of that county from which such area is to be taken. Any such city and county shall be permitted to frame a charter for its own government, and amend the same, in the manner provided for cities by section 10 of this article: *Provided, however,* That the first charter of such city and county shall be framed and adopted in a manner to be specified in the general law authorizing the formation of such corporations: *Provided further,* That every such charter shall designate the respective officers of such city and county who shall perform the duties imposed by law upon county officers. Every such city and county shall have and enjoy all rights, powers and privileges asserted in its charter, not inconsistent with general laws, and in addition thereto, such rights, powers and privileges as may be granted to it, or possessed and enjoyed by cities and counties of like population separately organized.

No county or county government existing outside the territorial limits of such county and city shall exercise any police, taxation or other powers within the territorial limits of such county and city, but all such powers shall be exercised by the city and county and the officers thereof, subject to such constitutional provisions and general laws as apply to either cities or counties: *Provided,* That the provisions of sections 2, 3, 4, 5, 6, 7, and 8 of this article shall not apply to any such city and county: *Provided further,* That the salary of any elective or appointive officer of a city and county shall not be changed after his election or appointment or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed. In case an existing county is divided in the formation of a city and county, such city and county shall be liable for a just proportion of the existing debts or liabilities of the former county, and shall account for and pay the county remaining a just proportion of the value of any real estate or other property owned by the former county and taken over by the county and city, the method of determining such just proportion to be prescribed by general law, but such division shall not affect the rights of creditors. The officers of a city and county, their compensation, qualifications, term of office and manner of election or appointment shall be as provided for in its charter, subject to general laws and applicable constitutional provision. (L. 1947, H. J. R. No. 13, p. 1386.) Approved November 2, 1948.

#### AMENDMENT 24

(AMENDMENT 24 was repealed by AMENDMENT 42.)

L. 1965 ex.s., p. 2816, S.J.R. No. 20. Approved November 8, 1966.)

Text of Amendment 24—  
 Art. 2, Sec. 33, ALIEN OWNERSHIP—*The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal or fire clay,*

*and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition. (L. 1949, S. J. R. No. 9, p. 999.) Approved November 7, 1950.*

#### AMENDMENT 25

Art. 4, Sec. 3(a). A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties. (L. 1951, H. J. R. No. 6, p. 960.) Approved November 4, 1952.

#### AMENDMENT 26

Art. 2, Sec. 41. No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: *Provided*, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no

amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general, regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the constitution of this state. (L. 1951, S. S. J. R. No. 7, p. 959.) Approved November 4, 1952.

#### AMENDMENT 27

Art. 8, Sec. 6. No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: *Provided, further*, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality and (b) any school district with such assent, may be allowed to become indebted to a larger amount but not exceeding five per centum additional for capital outlays. (L. 1951, H. J. R. No. 8, p. 961.) Approved November 4, 1952.

#### AMENDMENT 28

Art. 4, Sec. 6. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of

all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days.

Art. 4, Sec. 10. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use. (L. 1951, S. H. J. R. No. 13, p. 962.) Approved November 4, 1952.

#### AMENDMENT 29

(AMENDMENT 29 was repealed by AMENDMENT 42. L. 1965 ex.s., p. 2816, S. J. R. No. 20. Approved November 8, 1966.)

Text of Amendment 29—  
Art. 2, Sec. 33, ALIEN OWNERSHIP—*The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: Provided, That the provisions of this section shall not apply to*

*lands containing valuable deposits of minerals, metals, iron, coal, or fire-clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom: And provided further, That the provisions of this section shall not apply to the citizens of such of the Provinces of the Dominion of Canada as do not expressly or by implication prohibit ownership of provincial lands by citizens of this state. (L. 1953, H. J. R. No. 16, p. 853.) Approved November 2, 1954.*

**AMENDMENT 30**

Art 2, Sec. 1(A). Hereafter, the number of valid signatures of legal voters required upon a petition for an initiative measure shall be equal to eight per centum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. Hereafter, the number of valid signatures of legal voters required upon a petition for a referendum of an act of the legislature or any part thereof, shall be equal to four per centum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. These provisions supersede the requirements specified in section 1 of this article as amended by the seventh amendment to the Constitution of this state. (L. 1955, p. 1860, S. J. R. No. 4.) Amendment 30, approved November, 1956.

**AMENDMENT 31**

Article III, section 25. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. (L. 1955, p. 1861, S. J. R. No. 6.) Amendment 31, approved November, 1956. (Authorizing compensation increase during term: See Amendment 54.)

**AMENDMENT 32**

Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: *Provided*, That the person appointed to fill the vacancy must be from the same legislative district and the same political party as the legislator whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: *Provided*, That in case of a vacancy occurring in the office of joint senator or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district

and of the same political party as the legislator whose office has been vacated. (L. 1955, p. 1862, S. J. R. No. 14.) Amendment 32, approved November, 1956. Amending Amendment 13. Vacancies in county, etc., offices, see Art. 11, Sec. 6.

#### AMENDMENT 33

Article XXIV, Section 1. **State Boundaries** — The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified by appropriate interstate compacts duly approved by the Congress of the United States. (L. 1957, p. 1292, S. J. R. 10.) Amendment 33, approved November, 1958.

#### AMENDMENT 34

Article I, section 11. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: *Provided, however,* That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be

incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony. (L. 1957, p. 1299, S. J. R. No. 14.) Amendment 34, approved November, 1958.

#### AMENDMENT 35

Article II, section 25. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted. (L. 1957, p. 1301, S. J. R. No. 18.) Amendment 35, approved November, 1958. (Increase during term in compensation of certain officers, authorized: See Amendment 54.)

#### AMENDMENT 36

Art. 2, section 1 as amended by **AMENDMENT 7** was amended by adding the following subsection:

Article 2, section 1, subsection (e). The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the Constitution referred to the people with arguments for and against the laws and amendments so referred. The secretary of state shall send one copy of the publication to each individual place of residence in the state and shall make such additional distribution as he shall determine necessary to reasonably assure that each voter will have an opportunity to study the measures prior to election. These provisions supersede the provisions set forth in the last paragraph of section 1 of this article as amended by the seventh amendment to the Constitution of this state. (L. 1961, p. 2751, S. J. R. No. 9.) Amendment 36, approved November, 1962.

#### AMENDMENT 37

Article XXIII, section 1. Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: *Provided*, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at

least four times during the four weeks next preceding the election in every legal newspaper in the state: *Provided*, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. (L. 1961, p. 2753, S. J. R. No. 25.) Amendment 37, approved November, 1962.

### AMENDMENT 38

Art. 4 was amended by adding the following section:  
Sec. 2(a). When necessary for the prompt and orderly administration of justice a majority of the Supreme Court is empowered to authorize judges or retired judges of courts of record of this state, to perform, temporarily, judicial duties in the Supreme Court, and to authorize any superior court judge to perform judicial duties in any superior court of this state. (L. 1961, p. 2757, H.J.R. No. 6.) AMENDMENT 38. Approved November, 1962.

### AMENDMENT 39

Article II, section 42. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from enemy attack, shall have the power and the duty, immediately upon and after adoption of this amendment, to enact legislation providing for prompt and temporary succession to the powers and duties of public offices of whatever nature and whether filled by election or appointment, the incumbents and legal successors of which may become unavailable for carrying on the powers and duties of such offices; the legislature shall likewise enact such other measures as may be necessary and proper for insuring the continuity of governmental operations during such emergencies. Legislation enacted under the powers conferred by this amendment shall in all respects conform to the remainder of the Constitution: *Provided*, That if, in the judgment of the legislature at the time of disaster, conformance to the provisions of the Constitution would be impracticable or would admit of undue delay, such legislation may depart during the period of emergency caused by enemy attack only, from the following sections of the Constitution:

Article 14, Sections 1 and 2, Seat of Government;

Article 2, Sections 8, 15 (Amendments 13 and 32), and 22, Membership, Quorum of Legislature and Passage of Bills;

Article 3, Section 10 (Amendment 6), Succession to Governorship: *Provided*, That the legislature shall not depart from Section 10, Article III, as amended by Amendment 6, of the state Constitution relating to the Governor's office so long as any successor therein named is available and capable of assuming the powers and duties of such office as therein prescribed;

Article 3, Section 13, Vacancies in State Offices;

Article 11, Section 6, Vacancies in County Office;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records.

(L. 1961, p. 2758, H.J.R. No. 9.) AMENDMENT 39. Approved November, 1962.

**AMENDMENT 40**

Article XI, section 10. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized, or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to, and controlled by general laws. Any city containing a population of ten thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the Constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election, and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in the daily newspaper of largest general circulation published in the area to be incorporated as a first class city under the charter or, if no daily newspaper is published therein, then in the newspaper having the largest general circulation within such area at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given as required by law. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others. (L. 1963 ex.s., p. 1526, S.J.R. No. 1.) **AMENDMENT 40.** Approved November, 1964.

**AMENDMENT 41**

Art. 4, Sec. 29. **Election of Superior Court Judges.** Notwithstanding any provision of this Constitution to the contrary, if, after the last day as provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single position of superior court judge in any county containing a population of one hundred thousand or more, no primary or election shall be held as to such position, and a certificate of election shall be issued to such candidate. If, after any contested primary for superior court judge in any county, only one candidate is entitled to have his name printed on the general election ballot for any single position, no election shall be held as to such position, and a certificate of election shall be issued to such candidate: *Provided*, That in the event that there is filed with the county auditor within ten days after the date of the primary, a petition indicating that a write in campaign will be conducted for such single position and signed by one hundred registered voters qualified to vote with respect of the office, then such single position shall be subject to the general election. Provisions for the contingency of the death or disqualification of a sole candidate between the last date for withdrawal and the time when the election would be held but for the provisions of this section, and such other provisions as may be deemed necessary to implement the provisions of this section, may be enacted by the legislature. (L. 1965 ex.s., p. 2815, S. S. J. R. No. 6.) **AMENDMENT 41.** Approved November 8, 1966.

**AMENDMENT 42**

Section 33, Article II and Amendments 24 and 29 amendatory thereof, of the Constitution of the State of Washington are each hereby repealed. (L. 1965 ex.s., p. 2816, S. J. R. No. 20.) **AMENDMENT 42.** Approved November 8, 1966.

**AMENDMENT 43**

Art. 9, Sec. 3. **Funds for Support**—The principal of the common school fund as the same existed on June 30, 1965, shall remain permanent and irreducible. The said fund shall consist of the principal amount thereof existing on June 30, 1965, and such additions thereto as may be derived after June 30, 1965, from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of stone, minerals, or property other than timber and other crops from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating

stone, minerals or property other than timber and other crops from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund.

There is hereby established the common school construction fund to be used exclusively for the purpose of financing the construction of facilities for the common schools. The sources of said fund shall be: (1) Those proceeds derived from the sale or appropriation of timber and other crops from school and state lands subsequent to June 30, 1965, other than those granted for specific purposes; (2) the interest accruing on said permanent common school fund from and after July 1, 1967, together with all rentals and other revenues derived therefrom and from lands and other property devoted to the permanent common school fund from and after July 1, 1967; and (3) such other sources as the legislature may direct. That portion of the common school construction fund derived from interest on the permanent common school fund may be used to retire such bonds as may be authorized by law for the purpose of financing the construction of facilities for the common schools.

The interest accruing on the permanent common school fund together with all rentals and other revenues accruing thereto pursuant to subsection (2) of this section during the period after the effective date of this amendment and prior to July 1, 1967, shall be exclusively applied to the current use of the common schools.

To the extent that the moneys in the common school construction fund are in excess of the amount necessary to allow fulfillment of the purpose of said fund, the excess shall be available for deposit to the credit of the permanent common school fund or available for the current use of the common schools, as the legislature may direct. (L. 1965 ex.s., p. 2817. S. J. R. No. 22, part 1.) **AMENDMENT 43.** Approved November 8, 1966.

#### **AMENDMENT 44**

Art. 16. Sec. 5. **Investment of Permanent Common School Fund.** The permanent common school fund of this state may be invested as authorized by law. (L. 1965 ex.s., p. 2817, S. J. R. No. 22, part 2.) **AMENDMENT 44.** Approved November 8, 1966.

#### **AMENDMENT 45**

Art. 8. Sec. 8. **Port Expenditures—Industrial Development—Promotion.** The use of public funds by port

districts in such manner as may be prescribed by the legislature for industrial development or trade promotion and promotional hosting shall be deemed a public use for a public purpose, and shall not be deemed a gift within the provisions of section 7 of this Article. (L. 1965 ex.s., p. 2819, S. J. R. No. 25.) **AMENDMENT 45.** Approved November 8, 1966.

#### **AMENDMENT 46**

**Art. 6, Sec. 1A. Voters Qualifications for Presidential Elections.** In consideration of those citizens of the United States who became residents of the state of Washington during the year of a presidential election with the intention of making this state their permanent residence, this section is for the purpose of authorizing such persons who can meet all qualifications for voting as set forth in section 1 of this article, except for residence, to vote for presidential electors or for the office of President and Vice-President of the United States, as the case may be, but no other: *Provided*, That such persons have resided in the state at least sixty days immediately preceding the presidential election concerned.

The legislature shall establish the time, manner and place for such persons to cast such presidential ballots. (L. 1965, ex.s., p. 2820, S. H. J. R. No. 4.) **AMENDMENT 46.** Approved November 8, 1966.

#### **AMENDMENT 47**

**Art. 7, Sec. 10. Retired Persons Property Tax Exemption.** Notwithstanding the provisions of Article 7, section 1 (Amendment 14) and Article 7, Section 2 (Amendment 17), the following tax exemption shall be allowed as to real property:

The legislature shall have the power, by appropriate legislation, to grant to retired property owners relief from the property tax on the real property occupied as a residence by those owners. The legislature may place such restrictions and conditions upon the granting of such relief as it shall deem proper. Such restrictions and conditions may include, but are not limited to, the limiting of the relief of those property owners below a specific level of income and those fulfilling certain minimum residential requirements. (L. 1965 ex.s., p. 2821, H. J. R. No. 7.) **AMENDMENT 47.** Approved November 8, 1966.

#### **AMENDMENT 48**

**Art. 8, Sec. 3. Special Indebtedness—How Authorized.** Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall,

at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and notice that such law will be submitted to the people and shall be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: *Provided*, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. (L. 1965 ex.s., p. 2822, H.J.R. No. 39.) **AMENDMENT 48.** Approved November 8, 1966.

#### AMENDMENT 49

The constitution was amended by adding the following new article:

#### ARTICLE XXIX—INVESTMENTS OF PUBLIC PENSION AND RETIREMENT FUNDS

and section 1 thereof:

Art. 29, Sec 1. **May Be Invested as Authorized by Law**—Notwithstanding the provisions of sections 5, and 7 of Article VIII and section 9 of Article XII or any other section or article of the Constitution of the state of Washington, the moneys of any public pension or retirement fund may be invested as authorized by law. (1967 S. J. R. No. 5.) **AMENDMENT 49.** Approved November 5, 1968.

**Reviser's Note:** Amendment 49 (1967 SJR No. 5) and Amendment 54 (1967 HJR No. 13) each added a new Article XXIX to the Constitution. Amendment

49 is carried herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.

#### AMENDMENT 50

Art. 4 was amended by adding the following section:

Art. 4, Sec. 30. **Court of Appeals**—(1) *Authorization*. In addition to the courts authorized in section 1 of this article, judicial power is vested in a court of appeals, which shall be established by statute.

(2) *Jurisdiction*. The jurisdiction of the court of appeals shall be as provided by statute or by rules authorized by statute.

(3) *Review of Superior Court*. Superior court actions may be reviewed by the court of appeals or by the supreme court as provided by statute or by rule authorized by statute.

(4) *Judges*. The number, manner of election, compensation, terms of office, removal and retirement of judges of the court of appeals shall be as provided by statute.

(5) *Administration and Procedure*. The administration and procedures of the court of appeals shall be as provided by rules issued by the supreme court.

(6) *Conflicts*. The provisions of this section shall supersede any conflicting provisions in prior sections of this article. (1967 S. J. R. No. 6.) **AMENDMENT 50.**

Approved November 5, 1968. (This section which was adopted as Art. 4, Sec. 29 is herein renumbered Art. 4, Sec. 30 to avoid confusion with Amendment 41.)

**AMENDMENT 51**

Art. 8 was amended by adding the following section:

Art. 8, Sec. 9. **State Building Authority**—The legislature is empowered notwithstanding any other provision in this Constitution, to provide for a state building authority in corporate and politic form which may contract with agencies or departments of the state government to construct upon land owned by the state or its agencies, or to be acquired by the state building authority, buildings and appurtenant improvements which such state agencies or departments are hereby empowered to lease at reasonable rental rates from the Washington state building authority for terms up to seventy-five years with provisions for eventual vesting of title in the state or its agencies. This section shall not be construed as authority to provide buildings through lease or otherwise to nongovernmental entities. The legislature may authorize the state building authority to borrow funds solely upon its own credit and to issue bonds or other evidences of indebtedness therefor to be repaid from its revenues and to secure the same by pledging its income or mortgaging its leaseholds. The provisions of sections 1 and 3 of this article shall not apply to indebtedness incurred pursuant to this section. (1967 S. J. R. No. 17.) **AMENDMENT 51.** Approved November 5, 1968. (This section which was adopted as Art. 8, Sec. 8 is herein renumbered Art. 8, Sec. 9 to avoid confusion with Amendment 45.)

**AMENDMENT 52**

Art. 2, Sec. 15. **Vacancies in Legislature and in Partisan County Elective Office**—Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: *Provided*, That the person appointed to fill the vacancy must be from the same legislative district, county or county commissioner district and the same political party as the legislator or partisan county elective officer whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district, county or county commissioner district and of the same political party as the legislator or partisan county elective officer whose office has been vacated, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: *Provided*, That in case of a vacancy occurring in the office of joint senator, or joint representative, the vacancy shall be filled from a list of three nominees selected by

the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated.

**Art. 11, Sec. 6. Vacancies in Township, Precinct or Road District Office**—The board of county commissioners in each county shall fill all vacancies occurring in any township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified. (1967 S. J. R. No. 24.) **AMENDMENT 52.** Approved November 5, 1968. (Prior amendments of Art. 2, Sec. 15, see Amendments 13 and 32.)

#### **AMENDMENT 53**

Art. 7 was amended by adding the following section:  
**Art. 7, Sec. 11. Taxation Based on Actual Use**—Nothing in this Article VII as amended shall prevent the legislature from providing, subject to such conditions as it may enact, that the true and fair value in money (a) of farms, agricultural lands, standing timber and timberlands, and (b) of other open space lands which are used for recreation or for enjoyment of their scenic or natural beauty shall be based on the use to which such property is currently applied, and such values shall be used in computing the assessed valuation of such property in the same manner as the assessed valuation is computed for all property. (1967 H. J. R. No. 1.) **AMENDMENT 53.** Approved November 5, 1968.

#### **AMENDMENT 54**

The Constitution was amended by adding the following new article:

#### **ARTICLE XXX<sup>①</sup>—COMPENSATION OF PUBLIC OFFICERS<sup>②</sup>**

and section 1 thereof:

**Art. 30, Sec. 1. Authorizing Compensation Increase During Term**—The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, including judges of courts of record and the justice courts may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered.

The provisions of section 25 of Article II (Amendment 35), section 25 of Article III (Amendment 31), section 13 of Article IV, section 8 of Article XI, and

section 1 of Article XXVIII (Amendment 20) insofar as they are inconsistent herewith are hereby repealed. (1967 H. J. R. No. 13.) **AMENDMENT 54.** Approved November 5, 1968.

**Reviser's Note:** ① Amendment 49 (1967 SJR No. 5) and Amendment 54 (1967 HJR No. 13) each added a new Article XXIX to the Constitution. Amendment 49 is carried

herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.

②The name of this article has been supplied by the reviser.

#### AMENDMENT 55

**Art. 7, Sec. 2. Limitation on Levies**—Except as herein-after provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in any year exceed one per centum of the true and fair value of such property in money; *Provided, however,* That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general elec-

tion: *Provided*, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, *And provided further*, That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. (L. 1971, p. 1827, S. J. R. No. 1.) **AMENDMENT 55.** Approved November 7, 1972.

**Note:** Art. 7, § 2 was amended at the November 7, 1972 general election by Amendment 59 (HJR 47). Prior amendment of Art. 7, § 2, see Amendment 17.

#### **AMENDMENT 56**

**Art. 2, Sec. 24. Lotteries and Divorce.** The legislature shall never grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon. (L. 1971, p. 1828, S. J. R. No. 5.) **AMENDMENT 56.** Approved November 7, 1972.

#### **AMENDMENT 57**

**Art. 11, Sec. 5. County Government.** The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: *Provided*, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population: *Provided*, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession.

**Art. 11, Sec. 8. Salaries and Limitations Affecting.** The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such

officer be extended beyond the period for which he is elected or appointed. (L. 1971, p. 1829, S. J. R. No. 38.)  
**AMENDMENT 57.** Approved November 7, 1972.

Prior amendment of Art.  
11, § 5, see Amendment 12.

#### **AMENDMENT 58**

Art. 11, Sec. 16. **Combined City-County.** Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county." Registered voters equal in number to ten (10) percent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply to a petition proposed under this section for the election of freeholders to frame a city-county charter, the election of freeholders, and to the framing and adoption of such city-county charter pursuant to such petition. Except as otherwise provided in this section, the provisions of section 4 applicable to a county home rule charter shall apply to a city-county charter. If there are not sufficient legal newspapers published in the county to meet the requirements for publication of a proposed charter under section 4 of this Article, publication in a legal newspaper circulated in the county may be substituted for publication in a legal newspaper published in the county. No such "city-county" shall be formed except by a majority vote of the qualified electors voting thereon in the county. The charter shall designate the respective officers of such city-county who shall perform the duties imposed by law upon county officers. Every such city-county shall have and enjoy all rights, powers and privileges asserted in its charter, and in addition thereto, such rights, powers and privileges as may be granted to it, or to any city or county or class or classes of cities and counties. In the event of a conflict in the constitutional provisions applying to cities and those applying to counties or of a conflict in the general laws applying to cities and those applying to counties, a city-county shall be authorized to exercise any powers that are granted to either the cities or the counties.

No legislative enactment which is a prohibition or restriction shall apply to the rights, powers and privileges of a city-county unless such prohibition or restriction shall apply equally to every other city, county, and city-county.

The provisions of sections 2, 3, 5, 6, and 8 and of the first paragraph of section 4 of this article shall not apply to any such city-county.

Municipal corporations may be retained or otherwise provided for within the city-county. The formation,

powers and duties of such municipal corporations shall be prescribed by the charter.

No city-county shall for any purpose become indebted in any manner to an amount exceeding three percentum of the taxable property in such city-county without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed ten percentum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly city-county or other municipal purposes: *Provided further*, That any city-county, with such assent may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such city-county with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the city-county.

No municipal corporation which is retained or otherwise provided for within the city-county shall for any purpose become indebted in any manner to an amount exceeding one and one-half percentum of the taxable property in such municipal corporation without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor shall the total indebtedness at any time exceed five percentum of the value of the taxable property therein, to be ascertained by the last assessment for city-county purposes previous to the incurring of such indebtedness: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly municipal purposes: *Provided further*, That any such municipal corporation, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five percentum additional for supplying such municipal corporation with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipal corporation. All taxes which are levied and collected within a municipal corporation for a specific purpose shall be expended within the municipal corporation.

The authority conferred on the city-county government shall not be restricted by the second sentence of Article 7, section 1, or by Article 8, section 6 of this Constitution. (L. 1971, p. 1831, H. J. R. No. 26.) **AMENDMENT 58.** Approved November 7, 1972.

Prior amendment of Art.  
11, § 16, see Amendment  
23.

#### **AMENDMENT 59**

**Art. 7, Sec. 2. Limitation on Levies.** Except as hereinafter provided and notwithstanding any other provision of this Constitution, the aggregate of all tax levies upon real and personal property by the state and all taxing districts now existing or hereafter created, shall not in

any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum of the true and fair value of such property in money: *Provided, however,* That nothing herein shall prevent levies at the rates now provided by law by or for any port or public utility district. The term "taxing district" for the purposes of this section shall mean any political subdivision, municipal corporation, district, or other governmental agency authorized by law to levy, or have levied for it, ad valorem taxes on property, other than a port or public utility district. Such aggregate limitation or any specific limitation imposed by law in conformity therewith may be exceeded only

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting "yes" on the proposition shall constitute three-fifths of a number equal to forty per centum of the total votes cast in such taxing district at the last preceding general election when the number of electors on the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: *Provided,* That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, *And provided further,* That the provisions of this section shall also be subject to the limitations contained in Article VIII, Section 6, of this Constitution;

(c) By the state or any taxing district for the purpose

of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. (L. 1971, p. 1834, H. J. R. No. 47.) **AMENDMENT 59.** Approved November 7, 1972.

**Note:** Art. 7, § 2 was also amended at the November 7, 1972 general election by **AMENDMENT 55.** (SJR 1.) 1971 HJR No. 47 contained the following paragraph:

*“Be It Further Resolved,* That the foregoing amendment shall be submitted to the qualified electors of the state in such a manner that they may vote for or against it separately from the proposed amendment to Article VII, section 2, (Amendment 17) of the Constitution of the State of Washington contained in Senate Joint Resolution No. 1: *Provided,* That if both proposed amendments are approved and ratified, both shall become part of the Constitution.”

Prior amendment of Art. 7 § 2, see Amendment 17.

#### **AMENDMENT 60**

Art. 7, Sec. 1. **State Debt**—(a) The state may contract debt, the principal of which shall be paid and discharged within thirty years from the time of contracting thereof, in the manner set forth herein.

(b) The aggregate debt contracted by the state shall not exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than nine percent of the arithmetic mean of its general state revenues for the three immediately preceding fiscal years as certified by the treasurer. The term “fiscal year” means that period of time commencing July 1 of any year and ending on June 30 of the following year.

(c) The term “general state revenues” when used in this section, shall include all state money received in the treasury from each and every source whatsoever except: (1) Fees and revenues derived from the ownership or operation of any undertaking, facility, or project; (2) Moneys received as gifts, grants, donations, aid, or assistance or otherwise from the United States or any department, bureau, or corporation thereof, or any person, firm, or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid, or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) Moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) Moneys to be paid into and received from trust funds including but not limited to moneys received from taxes levied for specific purposes and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) Proceeds received from the sale of bonds or other evidences of indebtedness.

(d) In computing the amount required for payment of principal and interest on outstanding debt under this section, debt shall be construed to mean borrowed

money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be repaid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation, or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of this article, obligations guaranteed as provided for in subsection (f) of this section, principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority.

(e) The state may, without limitation, fund or refund, at or prior to maturity, the whole or any part of any existing debt or of any debt hereafter contracted pursuant to section 1, section 2, or section 3 of this article, including any premium payable with respect thereto and interest thereon, or fund or refund, at or prior to maturity, the whole or any part of any indebtedness incurred or authorized prior to the effective date of this amendment by any entity of the type described in subsection (g) of this section, including any premium payable with respect thereto and any interest thereon. Such funding or refunding shall not be deemed to be contracting debt by the state.

(f) Notwithstanding the limitation contained in subsection (b) of this section, the state may pledge its full faith, credit, and taxing power to guarantee the payment of any obligation payable from revenues received from any of the following sources: (1) Fees collected by the state as license fees for motor vehicles; (2) Excise taxes collected by the state on the sale, distribution or use of motor vehicle fuel; and (3) Interest on the permanent common school fund; *Provided*, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.

(g) No money shall be paid from funds in custody of the treasurer with respect to any debt contracted after the effective date of this amendment by the Washington state building authority, the capitol committee, or any similar entity existing or operating for similar purposes pursuant to which such entity undertakes to finance or provide a facility for use or occupancy by the state or any agency, department, or instrumentality thereof.

(h) The legislature shall prescribe all matters relating to the contracting, funding or refunding of debt pursuant to this section, including: The purposes for which debt may be contracted; by a favorable vote of three-fifths of the members elected to each house, the amount of debt which may be contracted for any class of such purposes; the kinds of notes, bonds, or other evidences of debt which may be issued by the state; and the manner by which the treasurer shall determine and advise the legislature, any appropriate agency, officer,

or instrumentality of the state as to the available debt capacity within the limitation set forth in this section. The legislature may delegate to any state officer, agency, or instrumentality any of its powers relating to the contracting, funding or refunding of debt pursuant to this section except its power to determine the amount and purposes for which debt may be contracted.

(i) The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and installments of principal of all such debt as the same falls due, but in any event, any court of record may compel such payment.

(j) Notwithstanding the limitations contained in subsection (b) of this section, the state may issue certificates of indebtedness in such sum or sums as may be necessary to meet temporary deficiencies of the treasury, to preserve the best interests of the state in the conduct of the various state institutions, departments, bureaus, and agencies during each fiscal year; such certificates may be issued only to provide for appropriations already made by the legislature and such certificates must be retired and the debt discharged other than by refunding within twelve months after the date of incurrence.

(k) Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this article shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof and shall be incontestable in the hands of a bona fide purchaser or holder thereof.

**Art. 7. Sec. 3. Special Indebtedness, How Authorized—**Except the debt specified in sections one and two of this article, no debts shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein. No such law shall take effect until it shall, at a general election, or a special election called for that purpose, have been submitted to the people and have received a majority of all the votes cast for and against it at such election. (L. 1971, p. 1836, H. J. R. No. 52.) **AMENDMENT 60.** Approved November 7, 1972.

Prior amendment of Art.  
8 § 3, see Amendment 48.

### **AMENDMENT 61**

The Constitution was amended by adding the following new article:

#### **ARTICLE XXXI<sup>①</sup>**

**SEX EQUALITY—RIGHTS AND RESPONSIBILITIES** and sections 1 and 2 thereof:

**Art. 31, Sec. 1. Equality Not Denied Because of Sex—**Equality of rights and responsibility under the law shall not be denied or abridged on account of sex.

**Art. 31, Sec. 2. Enforcement Power of Legislature—The**

Legislature shall have the power to enforce, by appropriate legislation, the provisions of this article. (L. 1972, p. 526, H. J. R. No. 61.) **AMENDMENT 61.** Approved November 7, 1972.

The name of this article has been supplied by the reviser.

**Reviser's Note:** ① Amendment 49 (1967 SJR No. 5) and Amendment 54 (1967 HJR No. 13) each added a new Article XXIX to the Constitution.

Amendment 49 is carried herein as Article XXIX while Amendment 54 has been herein redesignated as Article XXX.

②The name of this article has been supplied by the reviser.

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(1) In order of amendments:	
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No. 1 to art 16 sec 5	No. 19 to art 7 sec 3
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No. 3 to art 7 sec 2	No. 20 to art 2 sec 23
No. 4 to art 1 sec 11	(part repealed)
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6 sec 2	17, 19, 20, 21, 22
(deleted)	(part repealed)
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No. 6 to art 3 sec 10	(added)
No. 7 to art 2 sec 1	No. 21 to art 11 sec 4
2 sec 31	(new)
(deleted)	No. 23 to art 11 sec 7
No. 8 to art 1 sec 33	(repealed)
(added)	No. 23 to art 11 sec 16
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4 (deleted)	No. 28 to art 6 sec 6
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(added)	Also amends Amend. 24

## AMENDMENTS TO CONSTITUTION: RATIFIED—Continued.

- |   |   |
|---|---|
| No. 30 to art 2 sec 1(A)<br>(new)                     | No. 47 to art 7 sec 10<br>(new)               |
| No. 31 to art 3 sec 25                                | No. 48 to art 8 sec 3                         |
| No. 32 to art 2 sec 15                                | No. 49 to art 29 sec 1<br>(added)             |
| Also amends Amend. 13,<br>see also Art. II, sec. 6.   | No. 50 to art 30 sec 1<br>(added)             |
| No. 33 to art 24 sec 1                                | No. 51 to art 8 sec 9<br>(added)              |
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| No. 35 to art 2 sec 25                                | Also amends Amendments<br>31 and 32           |
| No. 36 to art 2 sec 1                                 | No. 53 to art 7 sec 1i<br>(added)             |
| Also amends Amend-<br>ment 7                          | No. 54 to art 30 sec 1<br>(added)             |
| No. 37 to art 23 sec 1                                | No. 55 to art 7 sec 2                         |
| No. 38 to art 4 sec 2(a)<br>(new)                     | Also amends Amendment<br>17                   |
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## (2) In order of articles and sections affected:

- |                        |                      |
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Taxes, no commutation of county's propor- tionate share .....	11	9
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Towns, power to assess and collect taxes.....	11	12
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<b>TECHNICAL SCHOOLS—Included in public school system .....</b>	<b>9</b>	<b>2</b>
<b>TELEGRAPH AND TELEPHONE COMPANIES:</b>		
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Rights-of-way, railroad must allow use for construction of lines.....	12	19
<b>TENURE OF OFFICE—County officers ineligible for more than two terms in succession (Repealed. Amendment 22.).....</b>	<b>11</b>	<b>7</b>
Extension of term not to be granted to county and local officers.....	11	8
In office at adoption of Constitution, how long to hold .....	27	14
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<b>TERM OF OFFICE—Attorney General.....</b>	<b>3</b>	<b>3</b>
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<b>TERRITORY—Accrued debts, fines, etc., inure to state .....</b>	<b>27</b>	<b>3</b>

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<b>TIMBER—Sale of state lands, how.....</b>	<b>16</b>	<b>3</b>
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Referendum petition, time for filing. (Amend- ment 7 (d).)		
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<b>TOWNSHIPS—County may adopt township form of organization by majority vote.....</b>	<b>11</b>	<b>4</b>
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**APPENDIX**  
**STATE CONSTITUTION**

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## PREFACE

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Washington has had two constitutional conventions. The first one convened at Walla Walla in June, 1878. It was a very small body composed of only fifteen men, but representative of the Territory's best intellect. Their labors continued over a period of forty days and produced a draft of a proposed constitution unequaled by that of any state. While the proceedings of this convention were never printed, they can be found in the columns of the Walla Walla Bulletin for that month and the original draft may be found in the office of the Secretary of State. The proceedings have been reprinted with notes by Dean John T. Condon and Professor Edmund Meany of the University of Washington. When presented to Congress, this constitution was rejected and statehood postponed for another eleven years.

Just prior to the convening on July 4th of the Constitutional Convention of 1889, Mr. W. Lair Hill, a prominent attorney both of Oregon and California, code writer of Oregon, former editor of the Portland, Oregon, Oregonian, a new resident of Seattle and soon to be the compiler of Washington's first state code, prepared, at the request of the Oregonian, the draft of a model state constitution. Copies were placed on the desks of the members of the Constitutional Convention of 1889 and were used as the working basis upon which to build the constitution for the new state of Washington. While it is difficult to measure the extent of its influence, it is evident that it was not small.

This second constitutional convention met in Olympia pursuant to an enabling act passed by Congress on February 22, 1889. It was in session until August 22, 1889. The membership of the convention consisted of seventy-five delegates chosen by the people of the Territory of Washington at an election held May 14, 1889, under Section 3 of the Enabling Act. They represented twenty-four nativities, partly as follows: Missouri 10, Ohio 8, New York 7, Illinois 7, Maine 6, Pennsylvania 4, Kentucky 4, Indiana 3, Michigan 3, Tennessee 2, and North Carolina, Massachusetts, Washington, Wisconsin, Connecticut, Iowa, Nebraska, and California each 1.

Judge John P. Hoyt was chosen as its president. The personnel of the convention included many very distinguished citizens including three future justices of the supreme court, a future governor, a future United States Senator, several future superior court judges. By occupations there were 22 lawyers, 15 farmers, 6 physicians, 5 merchants, 5 bankers, 4 stockmen, 3 teachers, 4 millmen and loggers, 1 preacher, 1 surveyor, 1 fisherman, and 1 engineer. Their average age was 45 years.

The constitution presented by these delegates was ratified by the people at an election held on October 1, 1889, and on November 11, 1889, in accordance with Section 8 of the Enabling Act, the President of the United States proclaimed the admission of the State of Washington into the Union.

## Comparative Study of Articles

The Constitution of Washington was the result of a study of the constitutions of many states. The constitutions of Oregon and California influenced it the most; but a considerable number of its sections show similar and identical language taken from the constitutions of Wisconsin, Missouri, Colorado, and Indiana. A lesser number of sections show the influence of the constitutions of Illinois, Pennsylvania, Texas and Ohio. Altogether provisions from twenty-three state constitutions were copied into the final draft.

The influence of the Hill model draft was extensive. Much of this draft came from Oregon, which in turn had been taken heavily from the constitution of Indiana. In addition to Oregon, Mr. Hill borrowed from California and Wisconsin. It is probable that the members of the constitutional convention used the Hill draft as a basis of their study and modified its provisions as they progressed with the work. The proposed Constitution of 1878 was of much aid to them also. Even Mr. Hill copied from it in the preparation of his model draft.

A study of the various sections of the Constitution of Washington as finally adopted shows somewhat the following conclusions:

<i>State Constitution or Proposed Draft</i>	<i>Identical Section</i>	<i>Similar Section</i>
Hill .....	51	46
California .....	45	45
Oregon .....	23	37
Wisconsin .....	27	17
Proposed 1878 .....	19	30
Indiana .....	7	10
Colorado .....	8	15
Missouri .....	3	18
Illinois .....	6	14
Pennsylvania .....	7	6
Texas .....	2	7
United States .....	7	17
Ohio .....	1	7

It should be noted, however, that there must be an overlapping of sections between states, as for example, certain sections as finally drafted might be the identical language of Hill, California, and Oregon; or a similarity of language of sections taken from Oregon, Indiana, and Wisconsin. The table clearly shows the relative influence of the constitutions and proposed drafts which are the sources of its provisions.

## Summary of Articles

### Article

- I. Based largely on Oregon, which, in turn, was based on Indiana. Hill based his text of this article on Oregon.
- II. Taken largely from California and Wisconsin.
- III. Borrowed from Hill, and the Proposed Constitution of 1878.
- IV. Borrowed from Hill, which, in turn, was borrowed from California.
- V. Taken from Colorado.
- VI-X. Taken from various jurisdictions.
- XI. Influenced largely by California and Missouri.
- XII. Borrowed heavily from California.
- XIV-XV. Taken from Hill with some changes.
- XVI. Various jurisdictions.
- XVII. Hill, Enabling Act, and Proposed Constitution of 1878.
- XVIII. Original.
- XIX. California.
- XX. Texas.
- XXI. California, Colorado, and Hill.
- XXII. Oregon, Kansas, Hill.
- XXIII. California, Oregon, Hill, Proposed Constitution of 1878.
- XXIV. Original.
- XXV. Enabling Act and United States Constitution.
- XXVI. Enabling Act.
- XXVII. Proposed Constitution of 1878.
- XXVIII. 20th Amendment to State Constitution.

**Comparison of Washington Constitution, 1889**

With Earlier Constitutions Containing Similar or Identical Provisions.

**ARTICLE I—DECLARATION OF RIGHTS****Section 1—Political Power**

Hill's Proposed Const.,<sup>①</sup> Art. I, In substance.

Sec. 1;

Oregon Const. 1857, Art. I, Sec. 1:

See also Declaration of Independence.

**Section 2—Supreme Law**

Hill, Art. I, Sec. 2; Identical in part.

U. S. Const., Art. VI, Sec. 2.

**Section 3—Due Process of Law**

U. S. Const., Amend. V. Identical.<sup>③</sup>

Ore. Const. 1857, Art. I, Sec. 10 In substance.

(Hill, Art. I, Sec. 8, identical with Ore.).

**Section 4—Right of Petition**

U. S. Const. Amend. I. Identical.

**Section 5—Free Speech Guaranteed**

Cal. Const. 1879, Art. I, Sec. 8. Almost identical.

Ore. Const. 1857, Art. I, Sec. 8 Similar.<sup>②</sup>

(Ind. Const. 1851, Art. I, Sec. 9, and Hill, Art. I, Sec. 5; identical with Ore.).

**Section 6—Oaths**

Ore. Const. 1857, Art. I, Sec. 7 Identical.

(Ind. Const. 1851, Art. I, Sec. 8; and Hill, Art. I, Sec. 4; identical with Ore.).

**Section 7—Private Affairs Sacred**

Ore. Const. 1857, Art. I, Sec. 9 Similar.

(Hill, Art. 8, Sec. 7, and U. S. Const. Amend. IV, identical with Ore.).

**Section 8—Irrevocable Franchise or Immunity**

Ore. Const. 1857, Art. I, Sec. 20 Similar.

(Ind. Const. 1851, Art. I, Sec. 23, and Hill, Art. I, Sec. 22, identical with Ore.).

① Subsequent references to Hill refer to Hill's Proposed Code.

② Similar—The word similar is used to denote either a partial resemblance or sameness in all essential parts.

③ Identical—The word identical is used to denote the exact phraseology in whole or in part.

④ Washington Constitution 1878, proposed only.

**Section 9—Former Jeopardy**

Ore. Const. 1857, Art. I, Sec. 12 Similar.  
 (Hill, Art. 1, Sec. 12, identical  
 with Ore.); U. S. Const. Amend.  
 V.

**Section 10—Open Court; Early Trial**

Ore. Const. 1857, Art. I, Sec. 10 Similar.  
 (Hill, Art. I, Sec. 8, identical  
 with Ore.); Ind. Const. 1851,  
 Art. I, Sec. 12.

**Section 11—Religious Liberty**

Ore. Const. 1857, Art. I, Secs. 2-6; Similar.  
 Hill, Art. I, Sec. 3;  
 Cal. Const. 1879, Art. I, Sec. 4;  
 Mo. Const. 1875, Art. I, Secs.  
 5-8;  
 Ind. Const. 1851, Art. I, Secs.  
 5-6.

**Section 12—Special Privileges Shall Not Be Granted**

Ore. Const. 1857, Art. I, Sec. 20 Identical except that  
 (Hill, Art. I, Sec. 22; Ind. Const. Wash. inserts the  
 1851, Art. I, Sec. 23, identical word "corporation."  
 with Ore.).

**Section 13—Suspension of Writ of Habeas Corpus**

Ore. Const. 1857, Art. I, Sec. 23 Identical.  
 (Hill, Art. I, Sec. 25, identical  
 with Ore.).  
 Ind. Const. 1851, Art. I, Sec. 27. Similar.  
 U. S. Const., Art. I, Sec. 9. Identical except for  
 addition of words  
 "when" and "may."

**Section 14—Excessive Bail**

U. S. Const., Amend. VIII. Identical except for  
 omission of word  
 "unusual."  
 Ore. Const. 1857, Art. I, Sec. 16 Similar. Ore. adds  
 (Hill, Art. I, Sec. 16, identical "but all penalties  
 with Ore.). shall be propor-  
 tioned to the of-  
 fense. In all crimi-  
 nal cases whatever,  
 the jury shall have  
 the right to deter-  
 mine the law, and  
 the facts under the  
 direction of the  
 court as to the law,  
 and the right of  
 new trial, as in  
 civil cases."

**Section 15—No Corruption of Blood, nor Forfeiture of Estate**

- Ore. Const. 1857, Art. I, Sec. 25 (Hill, Art. I, Sec. 17; Ind. Const. 1851, Art. I, Sec. 30, identical with Ore.). Identical except that Wash. uses "nor" in place of "or."
- U. S. Const. Art. III, Sec. 2. Similar.

**Section 16—Taking of Private Property for Public Use**

- Cal. Const. 1879, Art. I, Sec. 14; Ala. Const. 1867, Art. I, Sec. 25. Similar.
- 9th Amend. changes this slightly.

**Section 17—No Imprisonment for Debt**

- Ore. Const. 1857, Art. I, Sec. 19. Identical except that Ore. adds word "fraud."
- Hill, Art. I, Sec. 20. Identical except that Hill adds word "debt."

**Section 18—Military Subordinate to Civil Power**

- Ore. Const. 1857, Art. I, Sec. 27 (Ind. Const. 1851, Art. I, Sec. 33, identical with Ore.). Identical.

**Section 19—Elections to be Free and Open**

- Ore. Const. 1857, Art. II, Sec. 1 (Ind. Const. 1851, Art. II, Sec. identical with Ore.). Identical except that Ore. Const. omits everything after the first clause.

**Section 20—Right to Bail**

- Ore. Const. 1857, Art. I, Sec. 14 (Hill, Art. I, Sec. 14; Ind. Const. 1851, Art. I, Sec. 17, identical with Ore.). Similar.

**Section 21—Right to Jury Trial**

- Ore. Const. 1857, Art. I, Sec. 18; Hill, Art. I, Sec. 9; Cal. Const. 1879, Art. I, Sec. 7; Nev. Const. 1864, Art. I, Sec. 3. Similar.

**Section 22—Right of Defense and Appeal**

- Ore. Const. 1857, Art. I, Sec. 11 (Hill, Art. I, Sec. 11; Ind. Const. 1851, Art. I, Sec. 13, identical with Ore.); U. S. Const. Amendment VI. Similar.
- 10th Amend. changes this slightly.

**Section 23—Ex Post Facto**

- Cal. Const. 1879, Art. I, Sec. 16 Identical.  
 (Hill, Art. I, Sec. 23, identical  
 with Cal.).
- Ore. Const. 1857, Art. I, Sec. 21. Similar.  
 U. S. Const., Art. I, Sec. 10. Identical.
- Ind. Const. 1851, Art. I, Sec. 23. Identical except that  
 Indiana omits  
 clause relative to  
 Bills of Attainder.

**Section 24—Right to Bear Arms**

- U. S. Const., Amend. II; Ore. Const. 1857, Art. I, Sec. 27; Hill, Art. I, Sec. 28. Similar in part.

**Section 25—Prosecution by Information**

- Cal. Const. 1879, Art. I, Sec. 8 Similar.  
 (Hill, Art. I, Sec. 10, almost  
 identical with Cal.).

**Section 26—Grand Jury**

- ..... Probably original.

**Section 27—Treason Against State**

- Ore. Const. 1857, Art. I, Sec. 24 Identical except that  
 (Hill, Art. I, Sec. 26; Ind. Const. Wash. adds an ad-  
 1851, Art. I, Secs. 28, 29 iden- ditional conjunc-  
 tical with Ore.). tion "or."
- U. S. Const., Art. I, Sec. 3. Identical.

**Section 28—No Hereditary Privilege to be Granted**

- Ore. Const. 1857, Art. I, Sec. 29 Similar in substance.  
 (Ind. Const. 1851, Art. I, Sec. 35  
 identical).
- Cf. U. S. Const., Art. I, Sec. 9.

**Section 29—Provisions Mandatory**

- Cal. Const. 1879, Art. I, Sec. 22. Identical except that  
 Cal. adds word  
 "prohibitory."

**Section 30—Reserved Rights; Rule of Construction**

- U. S. Const., Art. IX. Identical except that  
 U. S. Const. adds  
 words "or dispar-  
 age."
- Cal. Const. 1879, Art. I, Sec. 23; Similar.  
 Ore. Const. 1857, Art. I, Sec. 25  
 (Iowa Const. 1843, Sec. 24; Hill,  
 Art. I, Sec. 31, identical).

**Section 31—Standing Army**

- Ore. Const. 1857, Art. I, Sec. 29 Identical except that  
 (Hill, Art. I, Sec. 18; U. S. Wash. adds the first  
 Const. Amend. III, identical clause not found in  
 with Ore.). the others.

**Section 32—Fundamental Principles Essential to Security**

Wis. Const. 1848, Art. I, Sec. 22; Similar.  
 N. H. Const. 1792, Sec. 38; Ill.  
 Const. 1870, Art. II, Sec. 20.

**Section 33—Recall**

8th Amendment (New Section).

**Section 34—Per Cent Required**

8th Amendment (New Section).

**ARTICLE II—LEGISLATIVE DEPARTMENT**

**Section 1—Legislature**

Cal. Const. 1879, Art. IV, Sec. 1; Similar. Wash. places  
 Hill, Art. IV, Sec. 1; Mich. enacting a clause  
 Const. 1850, Art. IV, Sec. 3. in a separate sec-  
 tion.  
 7th Amend. adds Initiative and  
 Referendum.

**Section 2—Limited Membership**

Wis. Const. 1848, Art. IV, Sec. 2. Similar.

**Section 3—State Census**

④Wash. Const. 1878, Art. IV, Identical except for  
 Sec. 3. last three words "in  
 active service."  
 Wis. Const. 1848, Art. IV, Sec. 3; Similar.  
 N. Y. Const. 1846, Art. IV, Sec.  
 4; Ore. Const. 1857, Art. IV,  
 Sec. 5; Mo. Const. 1875, Art. IV,  
 Sec. 3; Cal. Const. 1879, Art.  
 IV, Sec. 3.  
 Mich. Const., 1850, Art. IV, Sec. 3; Very similar.  
 Neb. Const. 1875, Art. III, Sec.  
 2.

**Section 4—First Election of Representatives**

Cal. Const. 1879, Art. IV, Sec. 3. Similar.

**Tenure of Office**

Cal. Const. 1879, Art. IV, Sec. 3. Similar.

**Section 5—Second and Subsequent Elections**

Cal. Const. 1879, Art. IV, Sec. 3. Almost identical  
 with Washington.

**Section 6—Election State Senators**

Wis. Const. 1848, Art. IV, Sec. 5, Similar.  
 as amended 1881.

**Section 7—Eligibility**

- Wis. Const. 1848, Art. IV, Sec. 6. Similar except as to requirement of being a citizen of U. S.
- Hill, Art. IV, Sec. 8. Contains the requirement that member must be a citizen of U. S.

**Section 8—Election Returns**

- Wis. Const. 1848, Art. IV, Sec. 7. Identical.
- Cal. Const. 1879, Art. IV, Sec. 7; U. S. Const., Art. I, Sec. 5. Similar.

**Quorum**

- Wis. Const. 1848, Art. IV, Sec. 7; Cal. Const. 1879, Art. IV, Sec. 8. Identical.
- U. S. Const., Art. 1, Sec. 5. Similar.

**Section 9—Rules**

- Wis. Const. 1848, Art. IV, Sec. 8. Identical except Wis. reads "cause" instead of "offense."
- Cal. Const. 1879, Art. IV, Sec. 9. U. S. Const., Art. I, Sec. 5. Very similar.

**Section 10—Officers of Each House**

- Wis. Const. 1848, Art. IV, Sec. 9. Identical except that Wash. adds provision giving the Lieutenant Governor a vote in case of a tie.
- Language of Wash. Const. is also transposed from that of the Wis. Const.

**Section 11—Journal**

- Wis. Const. 1848, Art. IV, Sec. 10. Identical.
- U. S. Const., Art. I, Sec. 5. Similar.

**Adjournment**

- Wis. Const. 1848, Art. IV, Sec. 10; Cal. Const. 1879, Art. IV, Sec. 14; U. S. Const., Art. I, Sec. 5. Identical.

**Section 12—Meetings of Legislature**

- Wis. Const. 1848, Art. IV, Sec. 11; Cal. Const. 1879, Art. IV, Sec. 3; Ore. Const. 1857, Art. IV, Sec. 10. Similar.

**Limit of Session 60 Days**

- Nev. Const. 1864, Art. IV, Sec. 29. Identical although several states have provisions from 45-50 days.

**Section 13—Legislators Ineligible for Other State Offices**

Wis. Const. 1848, Art. IV, Sec. 12. Identical except for transposition of word "shall."

**Section 14—Who Are Ineligible to Membership in Legislature**

Wis. Const. 1848, Art. IV, Sec. 13. Identical down to the proviso except for phrase "or any other power."

Cal. Const. 1879, Art. IV, Sec. 2; U. S. Const., Art. I, Sec. 6. Similar proviso.

**Section 15—Vacancies**

Wis. Const. 1848, Art. IV, Sec. 14. Identical. 13th Amendment changes this slightly.

**Section 16—Immunity from Arrest**

Wis. Const. 1848, Art. IV, Sec. 15. Identical except for transposition of words.

U. S. Const., Art. I, Sec. 6. Similar.

**Section 17—Free Speech**

Wis. Const. 1848, Art. IV, Sec. 16. Identical.

**Section 18—Style of Laws**

Wash. Const. 1878, Art. VI, Sec. 1. Identical.

Wis. Const. 1848, Art. IV, Sec. 17. Similar.

**No Law to be Enacted Except by Bill**

Ore. Const. 1857, Art. IV, Sec. 1; Identical.

Cal. Const. 1879, Art. IV, Sec. 15; Wis. Const. 1848, Art. IV, Sec. 17.

(Cal. Const. 1879, Art. IV, Sec. 15, and Wis. Const. 1848, Art. IV, Sec. 17, identical with Ore.)

**Section 19—Only One Subject in Bill**

Wis. Const. 1848, Art. IV, Sec. 18; Similar.

Cal. Const. 1879, Art. IV, Sec. 24.

**Section 20—Either House May Amend**

Wis. Const. 1848, Art. IV, Sec. 19 (Wash. Const. 1878, Art. VI, Sec. 21, identical). Identical except Wash. uses "in" where Wis. uses "by."

**Section 21—Yeas and Nays**

- Wis. Const. 1848, Art. IV, Sec. 20. Identical except that  
Wis. adds the  
phrase "on any  
question."  
U. S. Const., Art. I, Sec. 5. Similar.

**Section 22—Yeas and Nays in Passage of Bill**

- Wash. Const. 1878, Art. VI, Sec. 16; Cal. Const. 1879, Art. IV, Sec. 15. Similar.  
Penn. Const. 1873, Art. III, Sec. 4. Identical.

**Section 23—Compensation of Members**

- Wis. Const. 1848, Art. IV, Sec. 21. Identical except as  
amount per diem  
(Wis. is \$2.50;  
Wash. is \$5.00)

**Section 24—Lottery**

- Wis. Const. 1848, Art. IV, Sec. 24. Identical.

**Divorce**

- Wash. Const. 1878, Art. VI, Sec. 22. Identical except that  
Const. 1878 adds  
"the sale of lottery  
tickets shall be  
prohibited by law."

**Section 25—Extra Compensation Forbidden**

- Wis. Const. 1848, Art. IV, Sec. 26. Identical.

**Section 26—Suit Against State**

- Wis. Const. 1848, Art. IV, Sec. 27. Identical.  
(Wash. Const. 1878, Art. VI, Sec. 30, identical with Wis.)

**Section 27—Viva Voce Votes**

- Wis. Const. 1848, Art. IV, Sec. 30. Identical except that  
(Wash. Const. 1878, Art. VI, Sec. 32, identical with Wis.) Wis. inserts phrase  
"to be made."

**Section 28—Certain Private Laws Forbidden**

- 1  
Wis. Const. 1848, Amend Art. IV, Sec. 31, Cl. I (1871). Identical.
- 2  
Same, Cl. 2. Identical except that  
Wash. adds phrase  
"shall have been."
- 3  
Same, Cl. 3. Identical except that  
Wis. inserts words  
"across streams at  
points."

Same, Cl. 4.	4	Identical.
Same, Cl. 6.	5	Identical.
Same, Cl. 7.	6	Identical except that Wis. inserts words "except to cities."
Same, Cl. 8.	7	Identical.
Same, Cl. 9.	8	Identical.
Cal. Const. 1879, Art. IV, Sec. 25, Cl. 14.	9	Identical.
Same, Cl. 16. (Hill, Art. IV, Sec. 28, Cl. 16, identical with Cal.)	10	Identical.
Same, Cl. 17. (Hill, Art. IV, Sec. 28, Cl. 17, identical with Cal.)	11	Identical.
Same, Cl. 18. (Hill, Art. IV, Sec. 28, Cl. 18, identical with Cal.)	12	Identical.
Same, Cl. 23. (Wash. Const. <sup>**</sup> 1878, Art. VI, Sec. 17, Cl. 13, identical with Cal.)	13	Identical.
Same, Cl. 26. (Hill, Art. IV, Sec. 28, Cl. 25; Wash. Const. 1878, Art. VI, Sec. 17, Cl. 17; identical with Cal.)	14	Identical.
Same, Cl. 27. (Hill, Art. IV, Sec. 28, Cl. 26; Wash. Const. 1878, Art. VI, Sec. 17, Cl. 12, identical with Cal.)	15	Identical.
Same, Cl. 31. (Hill, Art. IV, Sec. 28, identical with Cal.)	16	Identical except that Wash. omits word "legitimation."

## 17

Same, Cl. 32. Identical.  
 (Hill, Art. IV, Sec. 28, Cl. 30,  
 identical with Cal.)

## 18

Same, Cl. 21. Similar.  
 (Hill, Art. IV, Sec. 28, Cl. 20,  
 identical with Cal.)  
 Wis. Const. 1848, Amend. Art. IV, Sec. 31, Cl. 5 (1871). Very similar. How-  
 ever neither of the  
 above contain the  
 Wash. proviso rela-  
 tive to creation of  
 new counties.

**Section 29—Labor of Convicts**

Ill. Const. 1870 (Amendment of 1886). Similar.

**Section 30—Corrupt Solicitation**

Penn. Const. 1873, Art. III, Secs. 31, 32. Identical.

**Members Shall Not Vote in Certain Cases**

Penn. Const., 1873, Art. III, Sec. 33 (Wash. Const. 1878, Art. VI, Sec. 29, identical with Penn.) Identical.

**Section 31—Laws Take Effect When**

Texas Const. 1876, Art. III, Sec. 29. Identical except that Wash. has omitted a few words.  
 Ore. Const. 1857, Art. IV, Sec. 28; Similar.  
 Colo. Const. 1876, Art. V, Sec. 19 (Wash. Const. 1878, Art. VI, Sec. 14, identical with Colo.);  
 Hill, Art. IV, Sec. 27.  
 Repealed by the 7th Amendment.

**Section 32—Presiding Officers to Sign Bill**

Wash. Const. 1878, Art. VI, Sec. 18; Hill, Art. IV, Sec. 25. Similar.

**Section 33—Alien Ownership of Lands**

Ore. Const. 1857, Art. XV, Sec. 8. Similar in part.

**Section 34—Bureau of Statistics**

Ohio Const. 1851, Art. XV, Sec. 8. Similar.

**Section 35—Laws Relating to Mines, Factories**

Ill. Const. 1870, Art. IV, Sec. 29; Similar.  
 Ohio Const. 1851, Art. II, Sec. 35; Ark. Const. 1874, Art. XIX, Sec. 18; Colo. Const. 1876, Art. XVI, Sec. 2.

**Section 36—Introduction of Bills Limited**

Colo. Const. 1876, Art. V, Sec. 19; Similar.

Md. Const. 1867, Art. III, Sec. 27; Minn. Const. 1857, Art. IV, Sec. 1; Neb. Const. 1875, Art. III, Sec. 4.

**Section 37—Amending Laws**

Ore. Const. 1857, Art. IV, Sec. 22 (Hill, Art. IV, Sec. 22, identical with Ore.) Identical except that Wash. omits words "and published."

Wash. Const. 1878, Art. VI, Sec. 17. Similar.

**Section 38—Amendment to Bill**

Colo. Const. 1876, Art. V, Sec. 17. Similar.

**Section 39—Passes Forbidden**

Penn. Const. 1873, Art. XVII, Sec. 8. Similar.

Cal. Const. 1879, Art. XII, Sec. 19. See Wash. Const. 1889, Art. XII, Sec. 20, for another similar section. In most states such a provision appears under article on corporations.

**ARTICLE III—THE EXECUTIVE****Section 1—Executive Department Consists of Whom**

Hill, Art. V, Sec. 1; Wash. Const. 1878, Art. IX, Sec. 1; Colo. Const. 1876, Art. IV, Sec. 1. Very similar; except that Wash. adds "other officers."

**Section 2—Governor**

Ore. Const. 1857, Art. V, Sec. 1; Wash. Const. 1878, Art. VII, Sec. 1; Hill, Art. V, Sec. 4. Similar; Wash. drops the limitations on number of terms of office.

**Section 3—Other Officers**

Hill, Art. V, Sec. 2; Wash. Const. 1878, Art. IX, Sec. 1; Ore. Const. 1857, Art. VI, Sec. 1; Wis. Const. 1848, Art. VI, Sec. 1; Cal. Const. 1879, Art. V, Sec. 17. Similar. Most constitutions provide for these officers. Some place them under an article entitled administrative dept. The details vary greatly.

**Section 4—Returns on Election of Executive Officers**

Hill, Art. V, Sec. 3. Identical.

Ore. Const. 1857, Art. V, Sec. 4; Wash. Const. 1878, Art. VII, Sec. 3. Similar.

**Certificate of Election**

Hill, Art. V, Sec. 3; Ore. Const. 1857, Art. V, Sec. 6; Wash. Const. 1878, Art. VII, Sec. 3 (similar in form). Identical except that Wash. applies the authority to all "officers."

**Section 5—Duties of Governor**

Hill, Art. V, Sec. 4. Identical except that Wash. substitutes "State" for "executive department."

**Section 6—Message**

Hill, Art. V, Sec. 5. Identical.

**Section 7—May Convene Extraordinary Sessions**

Hill, Art. V, Sec. 6. Identical except for slight change of words.

**Section 8—Commander-in-Chief**

Hill, Art. V, Sec. 8. Identical.

**Section 9—Pardoning Power**

Hill, Art. V, Sec. 9. Identical.  
Wash. Const. 1878, Art. VIII, Sec. 5. Similar.

**Section 10—Lieutenant-Governor Shall Act as Governor, When**

Wash. Const. 1878, Art. VII, Sec. 6; Hill, Art. V, Sec. 12. Similar, although they do not provide for lieutenant-governor. The idea of the office of the lieutenant-governor probably came from Cal. or Wis.

Repealed by the 6th Amendment.

**Section 11—Governor May Remit Fines, Etc.**

Ore. Const. 1857, Art. V, Sec. 14 (Hill, Art. V, Sec. 14, identical with Ore.) Identical.

**Section 12—Duties of Governor in Regard to Enactment of Laws**

Hill, Art. V, Sec. 15. Identical except for slight changes in minor words.

Ore. Const. 1857, Art. V, Sec. 15; Cal. Const. 1879, Art. IV, Sec. 16; Wis. Const. 1848, Art. V, Sec. 10; Wash. Const. 1878, Art. VII, Sec. 7. Similar.

**Veto of Individual Sections**

Hill, Art. V, Sec. 15. Almost identical; Ore. did not add this clause until 1920.

**Section 13—Vacancies Filled by Appointment**

Hill, Art. V, Sec. 16. Identical.

**Section 14—Salary of Governor**

Varies in all constitutions which specifically provide the amount of the salary.

**Section 15—He Shall Issue All Commissions**

Ore. Const. 1857, Art. V, Sec. 8 Identical.  
(Hill, Art. V, Sec. 18; Ind. Const. 1851, Art. XV, Sec. 6, identical with Ore.).

**Section 16—Duty of Lieutenant Governor to Preside Over Senate**

Cal. Const. 1879, Art. V, Sec. 15; Wis. Const. 1848, Art. V, Sec. 8. Similar in this extent only.

**Section 17—Duties of Secretary of State**

Hill, Art. V, Sec. 19; Cal. Const. 1879, Art. V, Sec. 18. Identical except that Wash. drops the word "fair" from the Hill Constitution and the word "correct" from the Cal. Const.

Ore. Const. 1857, Art. VI, Sec. 2. Similar.

**Section 18—Shall Keep State Seal**

Ore. Const. 1857, Art. VI, Sec. 3 Identical.  
(Hill, Art. V, Sec. 20, identical with Ore.).

**Section 19—Duties of State Treasurer**

Ore. Const. 1857, Art. VI, Sec. 4 Identical.  
(Hill, Art. V, Sec. 21, identical with Ore.).

Wash. Const. 1878, Art. IX, Sec. 3. Similar.

**Section 20—Duties of State Auditor**

Hill, Art. V, Sec. 22. Identical.

**Section 21—Duties of Attorney General**

Hill, Art. V, Sec. 23. Identical except that Wash. uses "state officers" instead of naming them separately.

**Section 22—Duties of Superintendent of Public Instruction**

Wash. Const. 1878, Art. IX, Sec. 3. Similar in part.

**Section 23—Duties of Land Commissioner**

..... Seems to be original.

**Section 24—Certain Offices to be Kept at Capital**

Hill, Art. V, Sec. 24. Almost identical.  
 Ore. Const. 1857, Art. VI, Sec. 5; Similar.  
 Wash. Const. 1878, Art. IX, Sec. 1.

**Section 25—Eligibility to State Office**

Wis. Const. 1848, Art. V, Sec. 2; Similar in part.  
 Ill. Const. 1870, Art. VII, Sec. 6;  
 Colo. Const. 1876, Art. VII, Sec. 6.

**Treasurer Ineligible for Second Term**

Wash. Const. 1878, Art. IX, Sec. 4; Neb. Const. 1875, Art. V, Sec. 3. Similar.

**Certain Offices May be Abolished**

Cal. Const. 1879, Art. V, Sec. 19. Similar with regard to surveyor-general.

**ARTICLE IV—THE JUDICIARY**

**Section 1—Supreme Court, Inferior Courts**

Hill, Art. VI, Sec. 1. Identical except that Wash. drops words "in any incorporated city."

**Section 2—Supreme Court Consists of Whom**

Hill, Art. VI, Sec. 2; Wash. Const. 1878, Art. VIII, Sec. 4. Similar in part. Identical.

**Separate Departments**

Cal. Const. 1879, Art. VI, Sec. 2. Similar in part.

**Section 3—Supreme Court Election**

Cal. Const. 1879, Art. VI, Sec. 3; Hill, Art. VI, Sec. 3. Portions identical; portions similar; portions probably original.

**Section 4—Jurisdiction Supreme Court**

Cal. Const. 1879, Art. VI, Sec. 4; Hill, Art. VI, Sec. 4. Portions identical; portions similar; portions probably original.

**Section 5—Superior Courts—Sessions—Tenure**

Cal. Const. 1879, Art. VI, Sec. 6; Hill, Art. VI, Sec. 5. Portions identical; portions similar; portions probably original. (Portions now obsolete due to statutes.)

**Section 6—Jurisdiction of Superior Courts**

Cal. Const. 1879, Art. VI, Sec. 5 Identical except for a  
(Hill, Art. VI, Sec. 6, identical few word changes.  
with Cal.).

**Section 7—Judges May Hold Court in Any County**

Cal. Const. 1879, Art. VI, Sec. 8 Identical.  
(Hill, Art. VI, Sec. 7, identical  
with Cal.).

**Pro Tempore Judges**

Cal. Const. 1879, Art. VI, Sec. 8. Identical except that  
Wash. requires se-  
lection of pro  
tempore judge to  
be approved by  
court.

**Section 8—Leave of Absence of Judges**

Cal. Const. 1879, Art. VI, Sec. 9 Identical with the ex-  
(Hill, Art. VI, Sec. 8, identical ception of the pro-  
with Cal.). viso, which seems  
to be original.

**Section 9—Removal of Judges**

Cal. Const. 1879, Art. VII, Sec. 10; Similar.  
Hill, Art. VI, Sec. 8; Wis. Const.  
1848, Art. VII, Sec. 13.

**Section 10—Justice of Peace**

Cal. Const. 1879, Art. VI, Sec. 11; Similar.  
Hill, Art. VI, Sec. 8.

**Section 11—Courts of Record**

Hill, Art. VI, Sec. 11. Identical except for  
slight change.

**Section 12—Jurisdiction of Inferior Courts**

Hill, Art. VI, Sec. 12. Identical.  
Cal. Const. 1879, Art. VI, Sec. 13. Similar.

**Section 13—Compensation of Judicial Officers**

Hill, Art. VI, Sec. 13. Identical except for  
slight change.  
Cal. Const. 1879, Art. VI, Sec. 15. Similar in part.

**Section 14—Salaries of Judges**

..... Amounts vary in  
most state constitu-  
tions where fixed  
by the Constitution  
itself.

**Section 15—Judges Ineligible to Any Other Office**

Hill, Art. VI, Sec. 14. Identical.  
Cal. Const. 1879, Art. VI, Sec. 18. Similar.

**Section 16—Charge to Jury**

- Hill, Art. VI, Sec. 15. Identical except that Wash. adds words "or comment on."  
 Cal. Const. 1879, Art. VI, Sec. 19. Similar.

**Section 17—Eligibility to Judgeship**

- Hill, Art. VI, Sec. 18. Identical.  
 Cal. Const. 1879, Art. VI, Sec. 23. Similar.

**Section 18—Reporter for Supreme Court**

- Hill, Art. VI, Sec. 16. Identical

**Section 19—Judges Shall Not Practice Law**

- Cal. Const. 1879, Art. VI, Sec. 22; Identical.  
 (Hill, Art. VI, Sec. 17, identical with Cal.).

**Section 20—Decision of Judges Superior Court, Limit of Time**

- Hill, Art. VI, Sec. 19. Identical.  
 Md. Const. 1867, Art. IV, Sec. 23. Similar.

**Section 21—Publication of Opinion, Supreme Court**

- Cal. Const. 1879, Art. VI, Sec. 16 Identical except that  
 (Hill, Art. VI, Sec. 26, identical Wash. omits phrase  
 with Cal.). "as it may deem expedient."

**Section 22—Clerk Supreme Court**

- Hill, Art. VI, Sec. 20. Identical except Wash. adds "by salary only."

**Section 23—Court Commissioner**

- Cal. Const. 1879, Art. VII, Sec. Similar.  
 14; Wis. Const. 1848, Art. VII,  
 Sec. 23; Minn. Const. 1857, Art.  
 VI, Sec. 15.

**Section 24—Rules of Courts**

- ..... Seems to be original.

**Section 25—Superior Judges to Report to Supreme Court Judges**

- Colo. Const. 1876, Art. VI, Sec. Similar.  
 27; Ill. Const. 1870, Art. VI,  
 Sec. 31.

**Section 26—Clerk Superior Court**

- Cal. Const. 1879, Art. VI, Sec. 14 Similar.  
 (Hill, Art. VI, Sec. 21, identical  
 with Cal.).

**Section 27—Style of Process**

- Cal. Const. 1879, Art. VI, Sec. 20. Identical.

**Section 28—Oaths of Judges**

Hill, Art. VI, Sec. 27; Ore. Const. Similar.  
1857, Art. VI, Sec. 21.

**ARTICLE V—IMPEACHMENT****Section 1—Proceedings**

Colo. Const. 1876, Art. V, Sec. 1; Identical.  
Nev. Const. 1864, Art. VII,  
Sec. 1.

**Section 2—Impeachable Offenses**

Colo. Const. 1876, Art. V, Sec. 2; Identical except for a  
Nev. Const. 1864, Art. VII, Sec. slight word change.  
2.  
U. S. Const., Art. I, Sec. 3. Similar.

**Section 3—Removable from Office**

Colo. Const. 1876, Art. V, Sec. 3. Identical.

**ARTICLE VI—ELECTIONS AND ELECTIVE RIGHTS****Section 1—Qualification of Electors**

Colo. Const. 1876, Art. VII, Sec. 1; Similar.  
Wis. Const. 1848, Art. III, Sec.  
1; Ore. Const. 1857, Art. II,  
Sec. 1; Mo. Const. 1875, Art.  
VIII, Sec. 2.  
(Amendment 5th supersedes  
Amendment 2nd and adds  
last sentence—"woman suf-  
frage.")

**Section 2—In School Elections**

Colo. Const. 1876, Art. VII, Sec. 1. Similar.  
(Repealed by 5th Amendment.)

**Section 3—Certain Persons Not Electors**

Wis. Const. 1848, Art. III, Sec. 2; Similar.  
Ore. Const. 1857, Art. II, Sec. 3.

**Section 4—Residence Not Gained or Lost by  
Military Service**

Colo. Const. 1876, Art. VII, Sec. 4; Identical except that  
Penn. Const. 1873, Art. VIII, Wash. adds last  
Sec. 13; Nev. Const. 1864, Art. sentence.  
II, Sec. 2.

**In Navigation**

Mo. Const. 1875, Art. VIII, Sec. 7; Identical.  
Penn. Const. 1873, Art. VIII,  
Sec. 13; Nev. Const. 1864, Art.  
II, Sec. 2.

**Section 5—Immunity from Arrest**

Mo. Const. 1875, Art. VIII, Sec. 4; Identical except for  
 Colo. Const. 1876, Art. VII, Sec. slight transposition  
 5; Ore. Const. 1857, Art. II, of words. Wash.  
 Sec. 13. adds last sentence.

**Military Service on Day of Election**

Ore. Const. 1857, Art. II, Sec. 13; Identical.  
 Neb. Const. 1875, Art. VII, Sec.  
 5.

**Section 6—Election by Ballot**

..... Nearly all states provide for this form of election.

**Preservation of Secrecy**

..... This provision is in most constitutions under various forms of language.

**Section 7—Registration**

Wis. Const. 1848, Amend. Art. 1, Sec. 4 (1882); Wash. Const. 1878, Art. IV, Sec. 9.  
 Hill, Art. II, Sec. 4. Hill added this clause in view of decision of Ore. Sup. Court following that of Wis. that a specific constitutional provision was necessary to authorize a registration law. See Wis. Amendment above mentioned.

**Section 8—First Election**

..... Many states have provisions of this kind. Naturally, they vary greatly. Colo. and Hill, similar in part.

**ARTICLE VII—REVENUE AND TAXATION**

**Note:** It is evident that the Committee on Revenue and Taxation studied very carefully the constitutions of many states as is shown by the fact that they have borrowed a sentence from one state and a part of a sentence from some other state. It will be impossible to show where they secured some provisions, such as that (Sec. 2) requiring the assessment to be according to "the value of the property in money." It is also difficult to understand why they did not choose a plan of classification for property, or to define property, or to provide for taxation of intangibles, when so many

states' constitutions presented such examples and when other states preparing constitutions at the same time chose them.

**Section 1—All Property Taxed According to Value**

Tex. Const. 1876, Art. VII, Sec. 1; Similar in parts.  
 Cal. Const. 1879, Art. XIII, Sec. 1; Wash. Const. 1878, Art. XII, Sec. 1; Ore. Const. 1857, Art. IX, Sec. 2; Kan. Const. 1857, Art. XI, Sec. 2.

**Section 2—Uniform and Equal Rate of Taxation**

Ore. Const. 1857, Art. IX, Sec. 1; Similar in parts.  
 Ill. Const. 1870, Art. IX, Sec. 1; Ind. Const. 1851, Art. IX, Sec. 1; Kan. Const. 1857, Art. XI, Sec. 2; Colo. Const. 1876, Art. X, Sec. 4.  
 (Third Amendment included as the last proviso of this section, \$300 personal property exemption.)

**Section 3—Assessment of Corporation Property**

Colo. Const. 1876, Art. X, Sec. 10; Similar.  
 (Wash. Const. 1878, Art. XII, Sec. 6, identical with Colo.)

**Section 4—Same**

Tex. Const. 1876, Art. VIII, Sec. 4. Identical.  
 Ga. Const. 1877, Art. VII, Sec. 5; Similar.  
 Colo. Const. 1876, Art. X, Sec. 9; (Wash. Const. 1878, Art. XII, Sec. 5; identical with Colo.)  
 (14th Amendment repeals Secs. 1-4 and substitutes single Sec. 1.)

**Section 5—No Tax Except in Pursuance of Law**

Ore. Const. 1857, Art. IX, Sec. 3; Identical.  
 (Hill, Art. VII, Sec. 3, identical with Ore.)

**Section 6—All Taxes to be Paid in Money**

..... Original.

**Section 7—Statement of Receipts and Expenditures**

Ore. Const. 1857, Art. IX, Sec. 5; Identical.  
 (Ind. Const. 1851, Art. X, Sec. 4; Hill, Art. VII, Sec. 5, identical with Ore.)

**Section 8—Deficiencies Provided For**

Wis. Const. 1848, Art. VIII, Sec. 5; Ore. Const. 1857, Art. IX, Sec. 6; Hill, Art. VII, Sec. 6. Identical.

**Section 9—Cities May Have Special Taxes**

- Ill. Const. 1870, Art. IX, Sec. 9. Identical except for slight word change.

**ARTICLE VIII—STATE, COUNTY AND MUNICIPAL INDEBTEDNESS****Section 1—State Indebtedness Limited**

- Ia. Const. 1857, Art. VII, Sec. 2. Identical except for slight word change.  
Hill, Art. VII, Sec. 8. Similar.

**Section 2—Exceptions to Limitation**

- Ia. Const. 1857, Art. VII, Sec. 4. Identical except for slight word change.

**Section 3—Special Provision for Incurring Indebtedness**

- Cal. Const. 1879, Art. XVI, Sec. 1. Identical except for slight word change.

**Section 4—Appropriations**

- Wash. Const. 1878, Art. XII, Sec. 7; Hill, Art. VII, Sec. 4. Similar in part. Most constitutions contain this provision. The remainder of the Wash. section seems to be original.

(11th Amendment changes this section slightly.)

**Section 5—Credit of State Shall Not be Pledged**

- Ia. Const. 1879, Art. VII, Sec. 1. Identical except that Wash. adds the word "comparing."  
Wash. Const. 1878, Art. XII, Sec. 9. Similar.

**Section 6—Limit of Indebtedness of Counties, Cities or School Districts**

- Ill. Const. 1878, Art. IX, Sec. 12. Similar. This section was inserted to help Seattle following the big fire of 1889.

**Section 7—Counties Shall Not Aid Corporations**

- Ore. Const. 1857, Art. XI, Sec. 9; Hill, Art. XI, Sec. 6; Wash. Const. 1878, Art. XII, Sec. 9; New York, Const. Amend., Art. VII, Sec. 11 (1874). Similar in parts.

**ARTICLE IX—EDUCATION**

**Section 1—Education of Children**

..... Original.

**Section 2—Uniform System**

Ore. Const. 1857, Art. VIII, Sec. 3. Similar. Many states have a provision similar to this.

**Includes What; Support of**

Cal. Const. 1879, Art. IX, Sec. 6. Very similar.

**Section 3—Common School Fund**

Ore. Const. 1857, Art. VIII, Sec. 2; Similar.  
Hill, Art. VIII, Sec. 3; Wash.  
Const. 1878, Art. XI, Sec. 4.

**Section 4—Schools to be Non-sectarian**

Hill, Art. VIII, Sec. 1. Identical.

**Section 5—Losses to Permanent School Fund**

Wash. Const. 1878, Art. XI, Sec. 3. Similar in substance.

**ARTICLE X—MILITIA**

**Section 1—Military Duty; Who Are Liable to**

Ore. Const. 1857, Art. X, Sec. 1; Similar. This provision in varying forms is common to many constitutions.  
(Hill, Art. IX, Sec. 1, identical with Ore.); Colo. Const. 1876, Art. XVII, Sec. 1.

**Section 2—Organization of Militia**

Cal. Const. 1879, Art. VIII, Sec. 1. Identical.

**Section 3—Soldiers' Home**

..... Seems to be original, although Texas has a provision, the substance of which is similar. Several states admitted at about the time or subsequent to Wash. have similar provisions to this.

**Section 4—Arms**

Ohio, Const. 1851, Art. IX, Sec. 5. Identical.  
Mo. Const. 1875, Art. XIII, Sec. 7; Colo. Const. 1876, Art. XVII, Sec. 4. Similar.

**Section 5—Immunity from Arrest**

Ill. Const. 1870, Art. XII, Sec. 4; Very similar.  
Ala. Const. 1867, Art. XI, Sec. 5.

**Section 6—Exemption from Military Duty**

Colo. Const. 1876, Art. XVII, Identical.  
Sec. 5; Ill. Const. 1870, Art. XII,  
Sec. 6.

**ARTICLE XI—COUNTY, CITY AND TOWNSHIP ORGANIZATION**

**Section 1—County Organization Recognized**

Cal. Const. 1879, Art. XI, Sec. 1; Similar.  
(Hill, Art. XI, Sec. 1, identical  
with Cal.).

**Section 2—Removal of County Seats**

Ill. Const. 1870, Art. X, Sec. 4; Very similar.  
Mo. Const. 1875, Art. IX, Sec.  
2; Cal. Const. 1879, Art. XI,  
Sec. 2.

**Section 3—Organization of New Counties**

Ill. Const. 1870, Art. X, Sec. 1. Identical except for  
number of inhabi-  
tants.  
Cal. Const. 1879, Art. XI, Sec. 3; Similar.  
Mo. Const. 1875, Art. IX, Secs.  
3 and 4.

**Territory Stricken from County**

Ill. Const. 1870, Art. X, Sec. 3. Identical. Cal., Tex.,  
Md., and Ark. have  
similar provisions.  
Mo. Const. 1875, Art. IX, Sec. 3. Similar.

**Change of Boundaries**

Ill. Const. 1870, Art. X, Sec. 3. Identical.  
Cal. Const. 1879, Art. XI, Sec. 3; Similar.  
Mo. Const. 1875, Art. IX, Sec. 3.

**Section 4—System of County Government**

Cal. Const. 1879, Art. XI, Sec. 4. Identical.  
Ill. Const. 1870, Art. X, Sec. 5; Similar.  
Mo. Const. 1875, Art. IX, Sec. 8.

**Section 5—County Officers, Compensation of**

Cal. Const. 1879, Art. XI, Sec. 5. Identical except for  
slight word change.  
(12th Amendment changed this  
section slightly.)

**Section 6—Vacancies**

Mo. Const. 1875, Art. IX, Sec. 11. Similar.

**Section 7—Ineligibility for More Than Two Terms**

Ill. Const. 1870, Art. X, Sec. 8; Similar in substance.  
Mo. Const. 1875, Art. IX, Sec.  
11.

**Section 8—Salaries**

Cal. Const. 1879, Art. XI, Sec. 9. Identical in part;  
remainder original.

**Section 9—All Counties Liable for State Taxes**

Cal. Const. 1879, Art. XI, Sec. 10. Identical except that  
Wash. omits "city,  
town or other pub-  
lic or municipal  
corporation."

**Section 10—Municipal Corporations Not Created  
by Special Law**

Cal. Const. 1879, Art. XI, Sec. 6. Identical down to  
sentence beginning  
"Any city contain-  
ing 20,000 etc."

Cal. Const. 1879, Art. XI, Sec. 8; Mo. Const. 1875, Art. IX, Sec.  
16. Similar for balance  
of the section.

**Section 11—Privileges of Cities**

Cal. Const. 1879, Art. XI, Sec. 11. Identical except for  
slight word change.  
Hill, Art. XI, Sec. 7. Similar.

**Section 12—Local Taxation; Government by  
General Laws**

Cal. Const. 1879, Art. XI, Sec. 12. Identical.  
Hill, Art. XI, Sec. 8. Similar.

**Section 13—Private Property Not Liable for  
Public Debt**

Cal. Const. 1879, Art. XI, Sec. 15. Identical except that  
Wash. adds an ex-  
ception.

**Section 14—Unlawful Use of Public Money**

Cal. Const. 1879, Art. XI, Sec. 17. Identical.

**Section 15—All Public Money Deposited with  
Treasurer**

Cal. Const. 1879, Art. XI, Sec. 16. Identical.

**ARTICLE XII—CORPORATIONS OTHER THAN  
MUNICIPAL****Section 1—Not Created by Special Laws**

Cal. Const. 1879, Art. XII, Sec. 1; Wash. Const. 1878, Art. XIII,  
Sec. 1. Similar.

**Section 2—Corporation Must Have Bona Fide Organization**

- Cal. Const. 1879, Art. XII, Sec. 6. Identical.  
Penn. Const. 1873, Art. XVI, Sec. 1. Identical except for slight word change.  
Wash. Const. 1878, Art. XIII, Sec. 1. Similar.

**Section 3—Legislature Shall Not Extend Franchise**

- Cal. Const. 1879, Art. XIII, Sec. 7. Identical.  
Penn. Const. 1873, Art. XVI, Sec. 2. Similar.

**Section 4—Limiting of Stockholders**

- Ore. Const. 1857, Art. XI, Sec. 3; Similar.  
Ohio Const. 1851, Art. XIII, Sec. 3 (Ala. Const. 1876, Art. XIII, Sec. 8, identical with Ohio).

**Section 5—Corporations Construed to Include What**

- Cal. Const. 1879, Art. XIII, Sec. 4; N. Y. Const. 1846, Art. VIII, Sec. 3. Identical.

**Section 6—Corporation Stock Fictitious Issues Void**

- Cal. Const. 1879, Art. XIII, Sec. 11; Penn. Const. 1873, Art. XVI, Sec. 7. Similar.

**Section 7—All Corporations to be Treated Equally**

- Cal. Const. 1879, Art. XIII, Sec. 15. Identical.  
Hill, Art. X, Sec. 6. Similar.

**Section 8—Leasing or Alienation of Franchise**

- Cal. Const. 1879, Art. XIII, Sec. 10. Identical except for first few words.

**Section 9—State Shall Not Loan Credit**

- Cal. Const. 1879, Art. XIII, Sec. 13. Identical.

**Section 10—Eminent Domain, State May Exercise Right**

- Ark. Const. 1874, Art. XVII, Sec. 9. Identical.  
Penn. Const. 1873, Art. XVI, Sec. 3 (Cal. Const. 1879, Art. XIII, Sec. 8, identical with Penn.); Colo. Const. 1876, Art. XV, Sec. 8; Mo. Const. 1875, Art. XII, Sec. 4; Neb. Const. 1875, Art. XI, Sec. 6; Ill. Const. 1870, Art. XI, Sec. 14. Identical except for slight word change.

**Section 11—Corporations and Individuals Shall Not Issue Money**

Cal. Const. 1879, Art. XII, Secs. 3 and 5; Ia. Const. 1857, Art. VIII, Sec. 9 (Neb. Const. 1875, Art. XI, Sec. 7, identical with Ia.).

**Section 12—Insolvent Banks Shall Not Receive Deposits**

Mo. Const. 1875, Art. XII, Sec. 17; Similar. (La. Const. 1879, Art. 241, identical with Mo.).

**Section 13—Common Carriers, Rights and Duties**

Cal. Const. 1879, Art. XII, Sec. 27; Penn. Const. 1873, Art. XVII, Sec. 1; Mo. Const. 1875, Art. XII, Sec. 13.

**Section 14—Certain Combinations Forbidden**

Cal. Const. 1879, Art. XII, Sec. 20. Identical.

**Section 15—Discrimination in Rates Forbidden**

Cal. Const. 1879, Art. XII, Sec. 21. Identical. Penn. Const. 1873, Art. XVII, Sec. 7 (Mo. Const. 1875, Art. XII, Sec. 23, identical with Penn.).

**Section 16—Shall Not Consolidate**

Ill. Const. 1870, Art. XI, Sec. 11; Similar in part. Penn. Const. 1873, Art. XVII, Sec. 4 (Mo. Const. 1875, Art. XII, Sec. 17, identical with Penn.); Wash. Const. 1878, Art. XIII, Sec. 3; Tex. Const. 1876, Art. X, Sec. 5.

**Section 17—Rolling Stock, Personal Property**

Ark. Const. 1874, Art. XVII, Sec. 11; Ill. Const. 1870, Art. XI, Sec. 10 (Mo. Const. 1875, Art. XII, Sec. 16, identical with Ill.); Neb. Const. 1875, Art. XI, Sec. 2; Tex. Const. 1876, Art. X, Sec. 4.

**Section 18—Regulation of Fares and Freight**

Ill. Const. 1870, Art. XI, Sec. 15; Similar. Ark. Const. 1874, Art. XVII, Sec. 10; Tex. Const. 1876, Art. X, Sec. 2.

**Railroad Commission**

Cal. Const. 1879, Art. XII, Sec. 22. Similar in substance.

**Section 19—Telegraph and Telephone Companies**

Colo. Const. 1876, Art. XV, Sec. 13; Penn. Const. 1873, Art. XVI, Sec. 12. Similar in part; probably for most part original.

**Section 20—Free Passes**

Cal. Const. 1879, Art. XII, Sec. 19; Penn. Const. 1873, Art. XVII, Sec. 8. Identical in part.

**Section 21—Railroads Shall Not Discriminate Against Express Companies**

..... Probably original, although many states with constitutions subsequent to Wash. constitution have included them.

**Section 22—Trusts and Monopolies**

..... Probably original. See above note.

**ARTICLE XIII—STATE INSTITUTIONS**

**Section 1—Educational, Reformatory and Penal Institutions**

Colo. Const. 1876, Art. VIII, Sec. 1; Wash. Const. 1878, Art. XIV, Sec. 1. Identical in part.  
Ohio Const. 1851, Art. VII, Secs. 1, 2. Similar.

**Section 2—How Changed**

Hill, Art. XV, Sec. 2; Ore. Const. 1857, Art. XIV, Sec. 3. Similar.

**Section 3—Capitol Building**

Hill, Art. XV, Sec. 3. Similar.

**ARTICLE XV—HARBORS AND WATERS**

**Section 1—Harbor Line Commission**

Hill, Art. XII, Sec. 1. (This section amended by the 15th Amendment.) Probably original for most part.

**Section 2—Leasing of Sites for Wharves**

Hill, Art. XII, Sec. 4. Probably original.

**Section 3—Municipal Corporations May Extend Streets Over Tide Lands**

Hill, Art. XII, Sec. 4. Probably original.

**ARTICLE XVI—SCHOOL AND GRANTED LANDS**

**Section 1—Shall Not be Sold at Less Than Market Value**

Hill, Art. XII, Sec. 1. Identical.

**Section 2—Lands for Educational Purposes Sold to Highest Bidder**

Wash. Enabling Act, Sec. 11; Hill, Art. XI, Sec. 10; Minn. Const. 1857, Art. VIII, Sec. 2. Similar in substance.

**Section 3—Subdivision of**

..... Probably original.

**Section 4—Investment of Funds**

Minn. Const. 1857, Art. VIII, Secs. 2, 6; Mo. Const. 1875, Art. XI, Sec. 9; Tex. Const. 1876, Art. VII, Secs. 4, 11. Similar.

**Section 5—Investment of School Funds**

A new section added by this amendment.

**ARTICLE XVII—TIDE LANDS**

**Section 1—Claim of State**

Plea of Mr. Hill in connection with his proposed article IX is probably responsible for this article. See decision in case of *Hinman v. Warren*, 6 Ore. 408.

**Section 2—Ownership Disclaimed to Certain Lands**

Wash. Enabling Act, Sec. 17. Enabling Act substitutes other lands in lieu of "Swamp and overflowed lands."  
 Wash. Const. 1878, Art. XV, Sec. 10. This section disclaims the effect of above decision of *Hinman v. Warren*.

**ARTICLE XVIII—STATE SEAL**

**Section 1—Design of**

..... Original.

**ARTICLE XIX—EXEMPTION**

**Section 1—Homestead**

Cal. Const. 1879, Art. XVII, Sec. 1. Identical.

**ARTICLE XX—PUBLIC HEALTH AND VITAL STATISTICS****Section 1—Board of Health**

Tex. Const. 1876, Art. XVI, Sec. Similar.  
32.

**Section 2—Practice of Medicine**

Tex. Const. 1876, Art. XVI, Sec. Similar.  
31.

**ARTICLE XXI—WATER AND WATER RIGHTS****Section 1—Water Rights**

Cal. Const. 1879, Art. XIV, Sec. Similar.  
1; Colo. Const. 1876, Art. XVI,  
Sec. 5.

Hill, Const. Art. XVI, Sec. 9. Similar in part.

**ARTICLE XXII—LEGISLATIVE APPORTIONMENT****Section 1—First Apportionment Senatorial District**

Hill, Art. Schedule, Sec. 16; Kan. A number of state  
Const. 1859, Art. X, Sec. 3; Ore. constitutions con-  
Const. 1859, Art. XVIII, Sec. 5. tain somewhat sim-  
ilar provisions.

**Section 2—First Apportionment Representative District**

Hill, Art. Schedule, Sec. 16; Kan. Similar. Portion now  
Const. 1859, Art. X, Sec. 3; obsolete by statute.  
Ore. Const. 1859, Art. XVIII,  
Sec. 5.

**ARTICLE XXIII—AMENDMENTS****Section 1—State Constitution, How Amended**

Wash. Const. 1878, Art. XVI, Sec. Identical except  
1. Wash. requires  
publication.

Cal. Const. 1879, Art. XVIII, Sec. Similar.  
1; Hill, Const. Art. XVIII, Sec.  
1.

Ore. Const. 1857, Art. XVII, Sec. Numerous state con-  
1 (Ind. Const. 1851, Art. XVI, stitutions contain  
Sec. 1, almost identical to Ore.). provisions similar  
in varying detail.

**Section 2—Convention to Amend, How Called**

Wash. Const. 1878, Art. XVI, Sec. Identical.  
2.

Cal. Const. 1879, Art. XVIII, Sec. Similar.  
2.

**Section 3—Voters Must Ratify**

Wash. Const. 1878, Art. XVI, Sec. Identical.  
3.

**ARTICLE XXIV—BOUNDARIES**

**Section 1—Boundaries Defined**

..... This is a customary provision and naturally varies in each state.

**ARTICLE XXV—JURISDICTION**

**Section 1—U. S. to Have Certain Jurisdiction**

Wash. Enabling Act, Sec. 4, Par. In substance.  
2; U. S. Const., Art. I, Sec. 8,  
Par. 17.

**ARTICLE XXVI—COMPACT WITH THE UNITED STATES**

**Section 1—Religious Toleration**

Wash. Enabling Act, Sec. 4, Par. Identical.  
1.

**Section 2—Rights to Appropriated Public Lands Disclaimed**

Wash. Enabling Act, Sec. 4, Par. Identical.  
2.

**Section 3—Debts of Territory Assumed**

Wash. Enabling Act, Sec. 4, Par. Identical.  
3.

**Section 4—System of Public Schools Guaranteed**

Wash. Enabling Act, Sec. 4, Par. Identical.  
4.

**ARTICLE XXVII—SCHEDULE**

**Section 1—Existing Rights Preserved**

Schedule, Wash. Const. 1878, Sec. Similar.  
1.

**Section 2—Laws of Territory Valid**

Schedule, Wash. Const. 1878, Sec. Identical except  
2. Wash. Const. 1889  
adds proviso.

**Section 3—Debts of Territory Valid**

Schedule, Wash. Const. 1878, Sec. Identical.  
3.

**Section 4—Recognizances of Territory Valid**

Schedule, Wash. Const. 1878, Sec. Identical.  
4.

**Section 5—Penal Actions**

Schedule, Wash. Const. 1878, Sec. Identical.  
4.

**Section 6—Public Officers**

Schedule, Wash. Const. 1878, Sec. Identical.  
5.  
Hill, Art. XVI, Sec. 12. Similar.

**Section 7—First Election of Officers**

Wash. Enabling Act, Sec. 24. Similar in substance.

**Section 8—Courts, Transfer of Cases**

Schedule, Wash. Const. 1878, Sec. Identical except for  
6. slight word change.

**Section 9—Court Seals**

Schedule, Wash. Const. 1878, Sec. Identical except for  
8. slight word change.

**Section 10—Probate Court Transferred to  
Superior Court**

Schedule, Wash. Const. 1878, Sec. Identical except for  
9. slight word change.

**Section 11—Election of Officers Not Otherwise  
Provided for**

Schedule, Wash. Const. 1878, Sec. Identical.  
10.

**Section 12—Contests at First Election**

Schedule, Wash. Const. 1878, Sec. Identical except for  
11. slight word change.

**Section 13—Representatives in Congress**

Schedule, Wash. Const. 1878, Sec. Identical.  
13.

**Section 14—District, County Precinct Officers Hold  
Office Until 1891**

Schedule, Wash. Const. 1878, Sec. Similar.  
5.

**Section 15—Election to Adopt Constitution**

Enabling Act, Sec. 8. Similar.

**Section 16—State Constitution, in Effect When**

Enabling Act, Sec. 8. Similar.

**Section 17—Separate Articles Submitted**

Schedule, Wash. Const. 1878, Sec. Similar.  
20.

**Section 18—Form of Ballot**

Separate Articles Wash. Const. Similar.  
1878, Arts. 1, 3 (Arts. 2 and 4  
are new).

**Section 19—Appropriation Authorized to Pay  
Any Deficiency**

..... Original.

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# FORTY-THIRD LEGISLATIVE SESSION

1973

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## Joint Rules of the Senate and House of Representatives

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**Conflict of Interest.**      **RULE 1.** A legislator has a personal interest which is in conflict with the proper discharge of his duties if he has reason to believe or expect that he will derive a direct monetary gain or suffer a direct monetary loss by reason of his official activity.

However, a legislator does not have a personal interest which is in conflict with the proper discharge of his duties if no benefit or detriment accrues to him as a member of a business, profession, occupation, or group, to a greater extent than to any other member of such business, profession, occupation, or group.

### CODE OF ETHICS

In order to maintain legislative integrity and secure the public interest the following Code of Ethics is adopted for legislators:

(a) Actions which destroy his independence of judgment as a legislator:

(1) A legislator shall not vote on or influence legislation in committee or on the floor of either house, where he has a personal interest which is in conflict with the proper discharge of his duties.

(2) A legislator shall not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary.

(3) A legislator shall not ask, receive, or agree to receive anything of value upon any understanding that his vote, opinion, judgment, or action will be influenced thereby.

(4) A legislator shall not solicit, receive, or accept a gift, favor or service under circumstances where it could be reasonably inferred that such action would influence the legislator in the discharge of his duties, or was a reward.

(5) A legislator shall not accept any remuneration other than his legislative compensation for his legislative advice or assistance.

(6) A legislator shall not appear before any department of state government for compensation that is contingent upon action by that department of state government unless the fee is set or approved by that department.

(b) Actions which involve undue influence upon any state agency, court, or governmental subdivision:

(1) A legislator shall not represent clients for compensation in proceedings or hearings before state agencies, boards or commissions involving claims of state employees.

(2) A legislator, by himself or through others, shall not use or attempt to use improper means to influence a state agency, board or commission.

(3) A legislator may use his official title or stationery in connection with a matter or proceeding before a state agency, board or commission, only if done without compensation, in connection with his duties as a legislator.

(4) A legislator shall not represent any claimant for compensation in any claim placed before the legislature.

(5) A legislator shall not receive compensation for an appearance before a state agency as an expert witness.

(c) Actions which constitute an abuse of his official position or a violation of his trust:

(1) A legislator shall not accept employment, or engage in any business, or be involved in any activity which he might reasonably expect would require him to disclose privileged information gained by virtue of his office.

(2) A legislator shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the Board of Ethics.

**Financial Statement.**      **RULE 2.** Legislators shall, before January 31, 1970, and each year thereafter on or before said date of each year, file with the secretary of state a written Code of Ethics financial statement showing:

**Part One**

Name of any corporation, firm, or enterprise in which I, and/or my spouse, have a direct financial interest of a value in excess of fifteen hundred dollars, excluding policies of insurance, accounts in banks, savings and loan associations, and credit unions:

**Part Two**

Every office or directorship held by me, and/or my spouse, in any corporation, firm or enterprise:

**Part Three**

Name of any person, corporation, firm, partnership, or other business association from which I, and/or my spouse, received compensation in excess of fifteen hundred dollars during the preceding calendar year by virtue of being an officer, director, employee, partner or member:

**Part Four**

The following is a list of all persons, firms, associations, corporations or organizations for whom I have prepared, promoted, or opposed legislation or proposed legislation for current or deferred remuneration:

**Part Five**

I practiced before the following state agencies, boards or commissions during the preceding calendar year:

Agency, Board or Commission

Gross Amount of Compensation

**Part Six**

The partnership or association of which I am a member or employee received a fee in excess of fifteen hundred dollars for practicing before the following agencies, boards, or commissions during the preceding calendar year:

Agency, Board or Commission

Gross Amount of Such Compensation

**Part Seven**

The following is a list of the legal descriptions of all real property in the state of Washington acquired during the preceding calendar year in which I have any interest whatsoever, including options to buy, where the said property is valued in excess of fifteen hundred dollars:

I hereby affirm that the above facts are true and correct to the best of my knowledge. Signed this..... day of....., 19..... at  
..... Washington.

.....  
(Signature)

.....  
(Print name for positive identification)

**Employee Restrictions.** RULE 3. A legislative employee shall not accept any gratuity or compensation for his services rendered in connection with his legislative employment other than his legislative salary, nor shall he, during the session, give any legislative advice, assistance, or service to anyone other than a legislator or legislative employee except in connection with his authorized or assigned duties.

A legislative employee, by himself or through others, shall not influence or attempt to influence a state agency, board, or commission to secure or grant special privileges, exemptions, advantages, contracts or treatment, for himself or for others.

A legislative employee shall not deliver or agree to deliver any gift, compensation, reward, or gratuity for or on behalf of any person or organization interested in matters before the legislature, nor may he accept or solicit such items for himself or for others.

A legislative employee shall not accept employment, or engage in any business, or be involved in any activity which he might reasonably expect would require him to use or disclose information gained by virtue of his legislative position.

A legislative employee shall not enter into any

contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the Board of Ethics.

A legislative employee shall not acquire a financial interest in any business enterprise which he has reason to believe may be involved in a legislative action from which the enterprise would benefit.

A legislative employee shall not use or attempt to use his official position to secure or grant special privileges, exemptions, advantages, contracts or treatment, for himself or for others.

A legislative employee shall not solicit or accept campaign contributions for any candidate for public office while employed by the legislature.

**Joint Session.**      **RULE 4.** Whenever there shall be a joint session of the two houses, the proceedings shall be entered at length upon the journal of each house. The lieutenant governor or president of the senate shall preside over such joint session, and the clerk of the house shall act as the clerk thereof, except in the case of the joint session held for the purpose of canvassing the votes of constitutional elective state officers, when the speaker shall preside over such joint session: *Provided*, That the lieutenant governor shall not act in said joint session except as the presiding officer, and in no case shall have the right to give the deciding vote.

**Motions for Joint Session.**      **RULE 5.** All motions for a joint session shall be made by concurrent resolution to be introduced

by the house in which such joint session is to be held; and when an agreement has once been made, it shall not be altered or annulled, except by concurrent resolution.

**Business Limited.** RULE 6. No business shall be considered in joint session other than that which may be agreed upon before the joint session is called.

### CONFERENCE COMMITTEE, REPORTS, ETC.

**Conference Committee.** RULE 7. In every case of difference between the two houses, upon any subject of legislation, the house refusing to recede shall request a conference and appoint a committee of three for that purpose, and the other house shall grant the request for a conference and appoint a like committee to confer. The committees shall meet at the earliest possible hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses indicated by the amendment or amendments adopted in one house and rejected in the other. But no conference committee shall consider or report on any matter except that directly at issue between the two houses. The papers shall be left with the conferees of the house requesting such conference, and they shall first present the report of the committee to their house. When such house shall have acted thereon, it shall transmit the report and the papers relating thereto, to the other house, with a message certifying its action thereon. Every report of a conference committee must be in writing, the original and two copies signed by those agreeing thereto, and must have the signatures of a majority of the conference committee members of

each house. The report shall be read in full in each house before a vote is taken on the report.

**How Made Up.** RULE 8. The presiding officer of each house shall appoint on such conference committee three members, selecting them so as to represent, in each case, the attitude of the majority and minority upon the differences between the houses.

**Free Conference Committee.** RULE 9. In case of a failure of the conferees to agree on matters directly at issue between the two houses, a report of the items of such disagreement including new proposed items within the scope and object of the title of the bill in conference shall be made and the power of free conference may be granted to the two houses either to the same committee, or the committee may be discharged and a new committee appointed with the power of free conference, to whom only items of disagreement or new items approved by one house in the disputed bill or resolution may be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be acted upon in the same manner as provided for reports of conference committees: *Provided*, That the house and senate shall have thirty-six hours from the time of receipt in the house originating the conference request to consider reports from a free conference committee and shall not vote thereon until the thirty-six hour period shall have elapsed except that with respect to budget and appropriations and revenue and tax measures, the required interval shall be twenty-four hours: *Provided fur-*

*ther*, That irrespective of any rule herein or any rule of either the senate or the house of representatives, the foregoing provisions relating to thirty-six and twenty-four hour intervals will not be suspended unless the legislature shall otherwise direct by a two-thirds vote all of the members elected to each house. Simultaneously with receipt of the report a copy of said report shall be placed upon the desk of each member of the legislature.

**Report of Conference  
and Free Conference**

**Committee, How Made  
Out; Whom Returned to.**

RULE 10. Three copies of the report must be prepared, and the copy of the bill as agreed to by the com-

mittee with all amendments inserted must be returned to the house asking for such conference and which is in possession of the bill but no floor vote may be taken on any free conference committee report without a summary of additions, changes and deletions made by the free conference committee with a reference in each instance to the page and line number or numbers in the report containing said additions, changes or deletions; it shall act upon such report, and if an agreement is reported, keep one of the copies of the report for its journal and duly message its action together with the bill, the original copy of the report and the remaining duplicate to the other house, which if the conference report be concurred in and the bill concurred in as amended, shall be the bill that is finally passed.

**Signatures  
on Report.**

RULE 11. The report of a free conference committee must be in writing, and the original and two cop-

ies must be signed personally by those agreeing thereto and must have the signatures of five of the six members of the committee: *Provided, however,* That in the event five members of a free conference committee cannot agree on the bill or measure referred to the committee, a majority of the committee may report that the committee cannot agree, and request the appointment of another committee.

**Adoption of Reports.\*** RULE 12. The report of a conference or free conference committee may be adopted by acclamation, but concurrence in the bill as amended shall be by roll call and the ayes and nays entered on the journals of the respective houses. The report must be voted upon in its entirety and cannot be amended.

**Messages Between the Two Houses.** RULE 13. Messages from the senate to the house of representatives shall be delivered by the secretary or assistant secretary, and messages from the house of representatives to the senate shall be delivered by the chief clerk or assistant.

**Final Action on Bills How Communicated.** RULE 14. Each house shall communicate its final action on any bill or resolution, or matter in which the other may be interested, in writing, signed by the secretary or clerk of the house from which such notice is sent.

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\*Requires a constitutional majority. Requires two-thirds on constitutional amendment.

**Enrolled Bills— Presiding Officer to Sign.** RULE 15. After a bill shall have passed both houses and all amendments have been carefully engrossed therein, it shall be signed by the presiding officer of each house in open session, first in the house in which it originated. The secretary of the senate or the chief clerk of the house shall present the original bill to the governor for his signature, who, after taking his action thereon, shall transmit it to the office of the secretary of state.

**Disposition of Engrossed Bills.** RULE 16. Whenever any bill shall have passed both houses, the house transmitting the bill in its final form to the governor shall also file with the secretary of state a copy of the bill together with the history of such bill up to the time of transmission to the governor.

**Transmission of Documents.** RULE 17. Each house shall transmit to the other all documents on which any bill or resolution may be founded.

**Joint and Concurrent Resolutions; Memorials.** RULE 18. All memorials and resolutions from the legislature addressed to the President of the United States, to the Congress or either house thereof, or to the heads of any other branch of the Federal government shall be in the form of joint memorials. Proposed amendments to the state Constitution shall be in the form of joint resolutions. Business between the two houses such as joint sessions, adopting or amending joint rules, closing business of the legislature and all such related matters shall be in the form of concurrent resolu-

tions. Joint memorials, joint resolutions, and concurrent resolutions, up to and including the signing thereof by the presiding officer of each house, shall be subject to the rules governing the course of bills.

Concurrent resolutions may be adopted without a roll call: *Provided, however,* That concurrent resolutions authorizing investigations, and authorizing the expenditure or allocation of any money must be adopted by roll call, and the yeas and nays recorded in the journal.

**Senate Bills in the House; House Bills in the Senate.** RULE 19. Senate bills in the house and house bills in the senate, in possession of the rules committees, shall be selected for the calendars of both the senate and house on Wednesday of each week during the session; and to follow the progress of senate bills in the house and house bills in the senate, the president of the senate shall appoint three members of the senate rules committee and the speaker of the house shall appoint three members of the house rules committee, who will jointly act as an advisory calendar committee in regard to senate bills in the house and house bills in the senate; said advisory committee to be appointed not later than the fifteenth day of the session.

**Amendatory Bills.** RULE 20. All amendatory bills shall refer to the section or sections of the official codes and statutes of Washington, and supplements thereto and to the respective Session Laws, to be amended.

**Amendatory Bills, How Drawn.** RULE 21. Bills introduced in either house intended to amend existing statutes shall have the words which are amendatory to

such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined.

No bill shall be introduced by title only, and, in the event a bill is not complete, at least section 1 shall be set forth in full before the bill may be accepted for introduction.

Amendments to bills will be acted upon in the manner provided in the Rules of the Senate and in the Rules of the House: *Provided*, That no amendment to a bill shall be considered which strikes the entire subject matter of a bill, and substitutes in lieu thereof entirely new subject matter not germane to the original or engrossed bill.

**Amendments to  
State Constitution;  
Action by Legislature.**

RULE 22. Amendments to the state Constitution may be proposed in either branch of the legislature by joint resolution; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals with the ayes and nays thereon. (Const., art. 23, sec. 1.)

**Publicity of Proposed  
Amendments to  
State Constitution.**

RULE 23. The legislature shall provide methods of publicity of all laws or parts of laws, and

amendments to the constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon. (Const., art. 2, sec. 1d.)

**Initiative Petition  
Before the Legislature.**

RULE 24. Initiative petitions filed with the secretary of state not

less than ten days before any regular session of the legislature shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session.

Upon certification from the secretary of state that an initiative to the legislature has received sufficient valid signatures, the secretary of state shall submit certified copies of the said initiative to the state senate and the house of representatives. Upon receipt of said initiative, each body of the legislature through their presiding officers shall refer the certified copies of the initiative to a proper committee.

Upon receipt of a committee report on an initiative to the legislature, each house shall treat the measure in the same manner as bills, memorials and resolutions, except that initiatives cannot be placed on the calendar for amendment.

After the action of each body has been recorded on the final passage or any other action by resolution or otherwise which may refer the initiative to the people has been recorded, the president and secretary of the senate and the speaker and chief clerk of the house will certify, each for its

own body, to the secretary of state the action taken. (Const., art. 2, sec. 1a.)

**Adjournment.** RULE 25. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other. (Const., art. 2, sec. 11.)

**Adjournment Sine Die.** RULE 26. Adjournment sine die shall be made only by concurrent resolution.

**Introduction of Bills.** RULE 27. No bill shall be considered in either house unless the time for its introduction shall have been at least twenty-four days before the final adjournment of the legislature, except appropriation bills and revenue bills, and these bills shall not be considered in either house unless the time for their introduction shall have been at least ten days before the final adjournment of the legislature, unless the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session; and

That, commencing at 4:00 p.m. on the forty-third day of the regular session, except for appropriation and revenue bills, the senate will only consider house bills and the house will only consider senate bills; and

That, after 4:00 p.m. on the fifty-third day of the regular session, neither the senate nor the house shall consider any bills except appropriation and revenue bills, messages pertaining to amendments, matters of difference between the senate and house, conference and free conference

reports, and matters incident and pertaining to the interim and to the closing of the business of the regular sessions of the legislature.

**Committee Bills.** RULE 28. A committee bill may originate in either house, provided the entire committee unanimously favors the introduction of such bill at a regularly called meeting of the committee. Each member of the committee shall endorse his name thereon. The rules committee of either house may introduce bills upon executive request by a two-thirds vote of the committee. No bill shall be introduced as a joint committee bill.

**Joint Committee Meetings.** RULE 29. Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.

All public hearings held by joint committees shall be scheduled at least five days in advance and shall be given publicity: *Provided*, That this provision shall not apply to joint hearings held after the fiftieth day of the session.

**Each House Judge of Its Own Membership.** RULE 30. Each house of the legislature is the judge of the qualifications and election of its members, and shall try all contested elections of its members in such manner as it may direct.

**Sessions of the Legislature.** RULE 31. The sessions of the legislature shall be held biennially, convening at 12 o'clock noon on the second Monday of January each odd year, as provided by chapter XX of the Laws of 1891 (44.04.010, RCW) in accordance with art. 2, section 12 of the state Constitution.

**Amendments to Joint Rules.** RULE 32. These joint rules may be amended by concurrent resolution agreed to by a majority of the members of each house, provided one day's notice be given of the motion thereof.

**Joint Rules of Special Session.** RULE 33. The permanent joint rules adopted at the regular session shall govern any special session called during the same legislative biennium.

**Topical Index.** RULE 34. The president and secretary of the senate and the speaker and chief clerk of the house shall designate an employee of either the house or the senate to act as supervisor of topical indexing, said supervisor to have charge of the topical indexing of the legislative record.

**Open Standing Committee Meeting.** RULE 35. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the legislature shall be open to the public in accordance with the rules of each house.

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# THE SENATE

FORTY-THIRD LEGISLATIVE  
SESSION, OLYMPIA

1973

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## Rules of the Senate List of Members Committees

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### OFFICERS

JOHN A. CHERBERG, Seattle  
President of the Senate

AL HENRY, White Salmon  
President Pro Tempore

JAMES E. KEEFE, Spokane  
Vice President Pro Tempore

SID SNYDER, Long Beach  
Secretary of the Senate

CHARLES JOHNSON, Olympia  
Sergeant at Arms

## SENATE CAUCUS OFFICERS

### Democratic Caucus

*Chairman*, ROBERT C. BAILEY  
*Vice Chairman and Secretary*, GEORGE FLEMING  
*Floor Leader*, AUGUST P. MARDESICH  
*Majority Whip*, GORDON L. WALGREN

### Republican Caucus

*Chairman*, R. FRANK ATWOOD  
*Vice Chairman and Secretary*, JIM MATSON  
*Floor Leader*, HARRY B. LEWIS  
*Asst. Floor Leader*, CHARLES E. NEWSCHWANDER  
*Minority Whip*, GEORGE W. SCOTT

# Rules of the Senate

## DUTIES OF THE PRESIDENT

**Rule 1.** The president shall take the chair and call the senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, shall order the sergeant at arms to suppress the same, and may order the arrest of any person creating any disturbance within the senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order subject to an appeal to the senate by any member, on which appeal no member shall speak more than once without leave of the senate. He shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the senate, all of which shall be attested by the secretary. In the absence of the president pro tem, he shall have the right to name any senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any documents, requiring the signature of the president.

He shall have charge of and see that all officers, attaches, and clerks perform their respective duties, and he shall have general control of the senate chamber and lobby.

## COMMITTEES—APPOINTMENT AND CONFIRMATION

**Rule 2.** The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate: *Provided, however,* That the appointment of the said conference, special, and joint committees shall be subject to the confirmation of the senate.

In the event the senate shall refuse to confirm any such conference, special or joint committee or committees, such committee or committees shall be forthwith elected by the senate.

In appointing the committee members to the hereinafter named standing committees, the president shall name members in the same ratio as the membership of the respective parties in the senate. Committee members will be selected by each party's caucus.

The following standing committees shall constitute the standing committees of the senate:

1. Agriculture .....	7
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5. Education .....	7
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### ELECTION BY ROLL CALL

**Rule 3.** In all cases of election by the senate, the votes shall be taken by yeas and nays, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, or upon any question upon which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced. (See also Art. 2, Sec. 30, State Constitution.)

A senator having been absent during roll call may ask to have his name called: *Provided*, He makes such request before the result of the roll call has been announced by the president.

### SECRETARY, SERGEANT AT ARMS EMPLOYEES

**Rule 4.** The senate shall elect a secretary, and a sergeant at arms, who shall perform the usual duties pertaining to their offices, and they shall hold office during the regular session and until their successor has been elected. The secretary shall appoint, subject to the approval of the senate, all other senate employees; and the hours of duty and assignments of all senate employees shall be under his directions and instructions, and they may be dismissed by him at his discretion.

The secretary of the senate, prior to the convening of the next session, shall prepare his office to receive bills which the members and members-elect may desire to prefile commencing with the first Monday in December preceding any session year; or twenty days prior to any extraordinary session of the legislature. He shall have printed copies prepared and distributed to the members and members-elect and such other individuals and organizations requesting them: *Provided, however*, That no bill, memorial or resolution shall be filed by title and/or preamble only. (See also Rule 58.)

### SUBORDINATE OFFICERS

**Rule 5.** The subordinate officers of the senate shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the president, and such other duties as the senate may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

### RESTRICTION OF EMPLOYMENT

**Rule 6.** No senate employee shall lobby in favor of or against any matter under consideration.

## PRESIDENT PRO TEM

**Rule 7.** Upon the organization of the senate the members shall select one of their number as president pro tem, who shall have all the powers and authority, and who shall discharge all the duties of the lieutenant governor, acting as president during his absence.

In the event that the lieutenant governor is acting as governor the senate shall also elect one of its members temporary president, who, in the absence or disability of the president elected by the senate, shall have all the power and authority and who shall discharge the duties of such president.

## PURCHASE OF SUPPLIES

**Rule 8.** All supplies for the use of the senate shall be furnished upon requisition signed by the secretary and approved by the chairman of the committee on claims and auditing.

The committee on claims and auditing shall carefully consider all items of expenditure ordered or contracted on the part of the senate or any of its employees, and report upon the same prior to the voucher being signed by the president and the secretary of the senate, authorizing the payment thereof.

## DAILY CONVENING TIME

**Rule 9.** The president shall call the senate to order each day of sitting at 10 o'clock a.m., unless the senate shall have adjourned to some other hour.

## QUORUM

**Rule 10.** A majority of all members elected to the senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

## CALL OF THE SENATE

**Rule 11.** Although a roll call be in progress,

a call of the senate may be moved by three senators, whose names shall be entered upon the journal, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant at arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

### ORDER OF BUSINESS

**Rule 12.** After the roll is called and journal read and approved, business shall be disposed of in the following order:

FIRST. Reports of standing committees.

SECOND. Reports of select committees.

THIRD. Messages from the governor and other state officers.

FOURTH. Messages from the house of representatives.

FIFTH. Introduction, first reading and reference of bills, memorials and resolutions.

SIXTH. Second reading of bills.

SEVENTH. Third reading of bills.

EIGHTH. Presentation of petitions, memorials, resolutions and motions.

The order of business established by this rule may be changed and any order of business already dealt with may be reverted or advanced to by a majority vote of those present. (See also Rule 46, Paragraph 4.)

### BUSINESS TO BE ANNOUNCED

**Rule 13.** The president shall, on each day, announce to the senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered, until the class to which it belongs shall be declared in order.

### SPECIAL ORDER

**Rule 14.** The president shall call the senate to order at the hour fixed for the consideration of a

special order, and announce that the special order is before the senate, which shall then be considered unless it is postponed by a majority vote, and any business before the senate at the time of the announcement of the special order shall take its regular position in the order of business.

### UNFINISHED BUSINESS

**Rule 15.** The unfinished business at the preceding adjournment shall have preference over all other matters, excepting special orders, and no motion or any other business shall be received without special leave of the senate until the former is disposed of.

### RULES OF DEBATE

**Rule 16.** When any senator is about to speak in debate, or submit any matter to the senate, he shall rise from his seat, and standing in his place, respectfully address himself to "Mr. President," and when recognized shall, in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished shall resume his seat. No senator shall impeach the motives of any other member or speak more than twice (except for explanation) during the consideration of any one question, on the same day or a second time without leave, when others who have not spoken desire the floor, but incidental and subsidiary questions arising during the debate shall not be considered the same question.

### MOTIONS—HOW PRESENTED

**Rule 17.** No motion shall be entertained or debated until announced by the president and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the secretary, if desired by the president or any senator, before it shall be debated, and by the consent of the senate may be withdrawn before amendment or action.

## SENATE RESOLUTIONS

Senate resolutions shall be acted upon in the same manner as motions. All senate floor resolutions shall be on the secretary's desk at least twenty-four hours prior to consideration.

## RECOGNITION BY THE PRESIDENT

**Rule 18.** When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

## PRIORITY OF BUSINESS

**Rule 19.** All questions relating to the priority of business shall be decided without debate.

## MESSAGES

**Rule 20.** Messages from the governor, other state officers, and from the house of representatives may be considered at any time by consent of the senate.

## PRECEDENCE OF MOTIONS

**Rule 21.** When a motion has been made and seconded and stated by the chair the following motions are in order, in the rank named:

## PRIVILEGED MOTIONS

- Adjourn or recess
- Reconsider
- Demand for call of the senate
- Demand for roll call
- Demand for division
- Question of privilege
- Orders of the day

## INCIDENTAL MOTIONS

- Points of order and appeal
- Method of consideration

Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

### SUBSIDIARY MOTIONS

1st Rank: Question of Consideration  
 2nd Rank: To lay on the table  
 3rd Rank: For the previous question  
 4th Rank: To postpone to a day certain  
           To commit or recommit  
           To postpone indefinitely  
 5th Rank: To amend

No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table.

### OPENING AND CLOSING DEBATE

**Rule 22.** The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

### CALL FOR DIVISION OF A QUESTION

**Rule 23.** Any senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the senate; but a motion to strike out and insert shall not be divided.

### POINT OF ORDER—DECISION APPEALABLE

**Rule 24.** Every decision of points of order by the president shall be subject to appeal by any senator, and discussion of a question of order

shall be allowed. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the senate?"

### QUESTION OF PRIVILEGE

**Rule 25.** Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanations, nor shall any question of personal privilege permit any senator to introduce any person or persons in the galleries: *Provided*, The president upon notice received may acknowledge the presence of any group without applause from the senate.

### PROTESTS

**Rule 26.** Any senator or senators may protest against the action of the senate upon any question and have such protest entered upon the journal: *Provided*, That such protest does not exceed 200 words. The senator protesting shall file his protest with the secretary of the senate within 48 hours following the action protested.

### READING OF PAPERS

**Rule 27.** When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

Any and all copies or reproductions of newspaper or magazine editorials, articles or cartoons or publications or material of any nature distributed to senators' desks must bear the name of at least one senator granting permission for the distribution: *Provided, however*, That this shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

### SUSPENSION OF RULES

**Rule 28.** No standing rule or order of this senate shall be rescinded or changed without a ma-

majority vote of the members, and seven days' notice of the motion thereof: *Provided*, Adoption of permanent rules may be by simple majority without notice, but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly.

### SUSPENSION OF RULES—DEBATE

**Rule 29.** A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion.

### PREVIOUS QUESTION

**Rule 30.** The previous question shall not be put unless demanded by three senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?". When sustained by a majority of senators present it shall preclude all debate, and the roll shall be immediately called on the question or questions pending before the senate, and all incidental question or questions of order arising after the motion is made shall be decided whether on appeal or otherwise without debate.

### RECONSIDERATION, HOW TAKEN

**Rule 31.** After the final vote on any resolution or bill, before the adjournment of that day's session, and at such time only, any member who voted with the prevailing side may give notice of reconsideration. Such motion to reconsider shall be in order only under the order of motions of the day immediately following the day upon which such notice of reconsideration is given, and may be made by any member who voted with the prevailing side.

A motion to reconsider shall have precedence over every other motion, except a motion to ad-

journal; and when the senate adjourns while a motion to reconsider is pending or before passing the order of motions, the right to move a reconsideration shall continue to the next day of sitting. On and after the fiftieth day of the session a motion to reconsider shall only be in order on the same day upon which notice of reconsideration is given and may be made at any time that day. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

#### YEAS AND NAYS—WHEN MUST BE TAKEN

**Rule 32.** The yeas and nays shall be taken when called for by one-sixth of all the senators present, and every senator within the bar of the senate shall vote unless excused by the unanimous vote of the senate, and the votes shall be entered upon the journal, and the names of senators demanding the yeas and nays shall also be entered upon the journal. (See also Art. 2, Sec. 21, State Constitution.)

When once begun the roll call may not be interrupted for any purpose other than to move a call of the senate. (See also Senate Rule 11.)

#### TIE VOTE

**Rule 33.** The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill. (See also Art. 2, Sec. 22, State Constitution.)

#### ANNOUNCEMENT OF VOTE

**Rule 34.** The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

#### MOTION TO ADJOURN

**Rule 35.** Except when under call of the senate, a motion to adjourn shall always be in order. The

name of the senator moving to adjourn and the time when the motion was made shall be entered on the journal.

### REED'S PARLIAMENTARY RULES

**Rule 36.** The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

### BREACH OF DECORUM

**Rule 37.** In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

### TRANSGRESSION OF RULES

**Rule 38.** If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when, if carried, he shall confine himself to the question under consideration.

### ABSENCE OF SENATOR WITHOUT LEAVE

**Rule 39.** No senator shall absent himself from the senate without leave, except in case of acci-

dent or sickness, and if any senator or officer shall absent himself his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

### DECORUM

**Rule 40.** Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time.

### WITNESSES BEFORE THE SENATE

**Rule 41.** Witnesses summoned by or on behalf of the senate to appear before the senate, or any of its committees, shall be paid for each day's attendance five dollars, and shall be paid five dollars for maintenance for each day's attendance; for each mile traveled in coming to the place of examination, ten cents: *Provided, however,* No mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

### USE OF SENATE CHAMBERS

**Rule 42.** The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate.

### ADMISSION TO THE SENATE

**Rule 43.** The sergeant at arms and doorkeepers shall not admit to the floor of the senate during the time the senate is not in session, any person other than one requested by a senator, the president or secretary of the senate, in writing.

### SENATE GALLERY

**Rule 44.** The east section of the south gallery is reserved for the use of the governor and state officers and their families, for the families of senators, and for members of the house of representatives and their families.

## ADMISSION TO THE FLOOR OF THE SENATE

**Rule 45.** The sergeant at arms and doorkeepers shall not admit to the floor of the senate during the session any person other than a member of the senate, except:

The governor.

Members of the house of representatives.

State elective officers.

Former members of the senate and state chairmen of the two major political parties.

Officers and employees of the senate.

Representatives of the press or other persons designated by name and holding cards of admission authorized by the rules committee and signed by the president:

*Provided,* That these courtesies shall be rescinded if the privilege is used for the purpose of lobbying when the senate is in session.

## DUTIES OF COMMITTEES

**Rule 46.** The several committees shall fully consider all measures referred to them.

The committees shall acquaint themselves with the interest of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

## RULES COMMITTEE DAILY CALENDAR

The committee on rules and joint rules shall have charge of the daily second and third reading calendar of the senate and shall direct the secretary of the senate the order in which the bills shall be considered by the senate and the committee on rules shall have the authority to directly refer any bill before them to any other standing committee. Such referral shall be reported back to the senate on the next day's business.

The senate may change the order of consideration of bills on the second or third reading calendar.

The calendar, except in emergent situations, as determined by the committee on rules, shall be on the desks of the senators each morning and shall cover the bills for consideration on the next following day.

### RECALLING BILLS FROM COMMITTEES

Any standing committee of the senate may be relieved of further consideration of any bill by a majority vote of the members of the senate. The senate may then make such orderly disposition of the bill as they may direct by a majority vote of the members of the senate.

### WAYS AND MEANS COMMITTEE

The committee on ways and means shall propose and recommend a method of providing sufficient revenues to meet their total recommended appropriations.

### COMMITTEE MEETINGS DURING SESSIONS

No committee shall sit during the daily session of the senate unless by special leave. (See also Rule 48.)

### VOTING IN COMMITTEES

No vote in any standing committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

### OPEN MEETINGS OF STANDING COMMITTEES

During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the senate shall be open to the public: *Provided, however,* That in case of any disturbance or disorderly conduct at any such deliberations, the chairman shall order the sergeant at arms to suppress the same and/or may order the meeting closed to any person or persons creating such disturbance.

## QUORUM REQUIRED

Committees shall be considered to have a quorum present unless the question is raised. No committee shall transact official business absent a quorum except to conduct a hearing. A majority of any committee shall constitute a quorum.

## COMMITTEE REPORTS

**Rule 47.** Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form, shall carry one of the following recommendations, and shall be adopted at a regularly or specially called meeting and shall be signed by a majority of the committee:

1. Do pass.
2. Do pass as amended.
3. Without recommendation.
4. Do not pass.
5. That the bill be referred to another committee.
6. That a substitute bill be substituted therefor, and the substitute bill do pass.
7. That the bill be indefinitely postponed.

## MAJORITY REPORTS

A majority report of a committee must carry the signatures of a majority of the members of the committee.

## MINORITY REPORTS

Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation and shall be signed by those members of the committee subscribing thereto.

## FILING COMMITTEE REPORTS

Prior to the 50th day all reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session.

## READING OF REPORTS

The majority report, and minority report, if there be one, together with the names of the signers thereof, shall be read by the secretary, unless the reading be dispensed with by the senate, and all committee reports shall be spread upon the journal.

## BILLS REFERRED TO RULES COMMITTEE

All bills reported by a committee to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Rule 61, Paragraph 4.)

## SUBSTITUTE BILLS

When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same order printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

## ENROLLED AND ENGROSSED BILLS— REPORT ON

**Rule 48.** The committee on claims and auditing may meet and report at any time during the sitting of the senate.

Any three members of the subcommittee of Ways and Means on Claims and Auditing may submit a report on engrossed and enrolled bills.

## COMMITTEE REFERENCE

**Rule 49.** When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

FIRST: The committee of the whole senate.

SECOND: A standing committee.

THIRD: A select committee.

## COMPARING ENROLLED AND ENGROSSED BILLS

**Rule 50.** Any senator shall have the right to compare an enrolled bill with the engrossed bill before the president signs the same.

## RULES IN THE COMMITTEE OF THE WHOLE

**Rule 51.** The rules of the senate shall apply to proceedings in committee of the whole, except that the previous question on the motion to lay on the table shall not be ordered, but the committee may limit the number of times that any member may speak at any stage of the proceedings during the sitting.

## SUSPEND RULES FOR COMMITTEE OF THE WHOLE

**Rule 52.** The senate may at any time, by the vote of the majority of the members present, suspend the rules and orders of the senate for the purpose of going into the committee of the whole for the consideration of any bill, memorial or resolution before the senate.

## FORMATION OF COMMITTEE OF THE WHOLE

**Rule 53.** In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections and the chairman shall call for amendments and debates thereon at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the senate for action.

## REPORT OF COMMITTEE OF THE WHOLE

**Rule 54.** A motion that the committee of the whole rise shall always be in order, and shall be decided without debate. (See also Senate Rule 65.)

MESSAGES RECEIVED WHILE  
COMMITTEE OF THE WHOLE SITS

**Rule 55.** Messages may be received by the president while the committee of the whole is sitting; in which case the president shall resume the chair, receive the message, and vacate the chair, in favor of the chairman of the committee.

## JOINT RESOLUTIONS AND MEMORIALS

**Rule 56.** Joint resolutions and joint memorials, up to the signing thereof by the president of the senate, shall be subject to the rules governing the course of bills.

## SENATE CONCURRENT RESOLUTIONS

**Rule 57.** Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call: *Provided, however,* That concurrent resolutions authorizing investigations and authorizing the expenditure or allocation of any money must be adopted by roll call and the yeas and nays recorded in the journal.

## INTRODUCTION OF BILLS

**Rule 58.** All bills, resolutions and memorials to be introduced shall be in quintuplet, each shall be endorsed with a statement of the title and the name of the member introducing the same. Not more than three senators may sponsor a bill, except committee bills which shall be in accordance with the joint rules of the senate and house: *Provided, however,* That any member desiring to introduce a bill, joint resolution or memorial shall file the same with the secretary of the senate by three o'clock in the afternoon of the day be-

fore the convening of the session at which said bill, resolution or memorial is to be introduced: *Provided further*, That on the thirty-fifth legislative day of the session the filing with the secretary of the senate will be extended to five o'clock in the evening; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the secretary at the time above stated.

The original bill is for the use of the senate, one copy for the printer, two for the secretary and the other for use by the members of the press. After the thirty-sixth day of the session no bill shall be introduced, except as the legislature shall direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session: *Provided*, That the time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees and general appropriation and revenue bills.

Members and members-elect to the senate may pre-file bills with the secretary of the senate on any day commencing with the first Monday in December preceding any session year; or twenty days prior to any extraordinary session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day: *Provided, however*, That no bill, memorial or resolution shall be filed by title and/or preamble only. (See also Rule 4.)

### ONE SUBJECT IN A BILL

**Rule 59.** No bill shall embrace more than one subject, and that shall be expressed in the title.

### AMENDATORY BILLS

**Rule 60.** Bills introduced in the senate intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by

setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Sections added by amendatory bill to an existing act, or chapter of the official code, need not be underlined but shall be designated "NEW SECTION" in upper case type and such designation shall be underlined. New enactments need not be underlined.

### READING OF BILLS

**Rule 61.** Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule: *Provided, however,* That after the 49th day of every regular session this rule may be suspended by a majority vote.

The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading, bills shall be referred to an appropriate standing committee.

Upon being reported back by committee, all bills shall be referred to the committee on rules for second reading, unless otherwise ordered by the senate. (See Rule 47, Sec. 6.)

A bill shall be reported back by the committee chairman upon written petition therefor signed by a majority of its members. The petition shall designate the recommendation as provided in Rule 47.

No committee chairman shall exercise a pocket veto of any bill.

Should there be a two-thirds majority report of the committee membership against the bill, a vote shall be immediately ordered for the indefinite postponement of the bill.

### COMMITTEE BILLS

Committee bills introduced by a standing committee may be filed with the secretary of the senate and introduced, and the signature of each member of the committee shall be endorsed upon the cover of the original bill.

Committee bills shall be read the first time by title, ordered printed, and referred to the committee on rules for second reading.

## SECOND READING

Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

## AMENDMENTS

No amendment shall be considered by the senate until it shall have been sent to the desk in writing and read by the secretary, and all amendments on the desk shall be read.

All amendments adopted on the second reading shall then be securely fastened to the original bill.

All amendments rejected by the senate shall be spread upon the journal, and the journal shall show the disposition of all amendments.

When no further amendments shall be offered, the president shall declare the bill has passed its second reading, and shall be referred to the committee on rules for third reading.

The bill with the amendments, if there be any attached thereto, shall be sent to the committee on claims and auditing which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the secretary before the opening of the senate on the next succeeding day.

## THIRD READING

Bills on third reading shall be read in full by sections, and no amendment shall be entertained.

When a bill shall pass, it shall be certified to by the secretary, together with the vote upon final passage, noting the day of its passage thereon.

The vote must be taken by yeas and nays, the names of the senators voting for and against the same to be entered upon the journal and the majority of the members elected to the senate must

be recorded thereon as voting in its favor to secure its passage by the senate. (See also Rule 3.)

### SCOPE AND OBJECT OF BILL NOT TO BE CHANGED

**Rule 62.** No amendment to any bill shall be allowed which shall change the scope and object of the bill.

### HOUSE AMENDMENTS TO SENATE BILLS

A senate bill, passed by the house with amendment or amendments which shall change the scope and object of the bill, upon being received in the senate, shall be referred to appropriate committee and shall take the same course as for original bills.

### NO AMENDMENT BY MERE REFERENCE TO TITLE OF ACT

**Rule 63.** No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

### BILLS COMMITTED FOR SPECIAL AMENDMENT

**Rule 64.** A bill may be committed with special instructions to amend at any time before taking the final vote.

### APPROPRIATION BILLS BUDGET

**Rule 65.** Bills appropriating money shall be considered in committee of the whole senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

No amendment to the general appropriation bill, commonly known as the budget, adding any new item, or items, thereto not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of two-thirds of the senators elected.

## PRINTING OF BILLS, ETC.

**Rule 66.** Unless otherwise ordered, 1,500 copies of all bills of general nature originating in the senate, shall be printed for the use of the senate and house of representatives: *Provided*, That upon request of a member of the senate in writing addressed to the secretary of the senate, up to 1,500 additional copies of such bill shall be printed, but under no circumstances shall more than 2,900 copies be printed without the consent of the senate.

## FURNISHING FULL FILE OF BILLS

**Rule 67.** Persons, firms, corporations and organizations within the state, desirous of receiving copies of all printed senate bills, shall make application therefor to the secretary of the senate, who shall refer all such requests to the committee on rules.

The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the committee on rules.

## QUESTION OF CONSIDERATION

**Rule 68.** When the question of consideration has been raised as to any motion, resolution or amendment, it shall not be put until said motion, resolution or amendment has been read. The question of consideration shall be carried by a majority vote of the senators present.

## NAMES ON ROLL CALL

**Rule 69.** The order of names on the roll call shall be determined by the committee on rules.

## CONFIRMATION OF GUBERNATORIAL APPOINTEES

**Rule 70.** When the names of appointees to state offices are transmitted to the senate for confirmation, the communication from the governor shall be read in full and entered upon the journal.

The president of the senate shall, after the reading, refer the names of such appointees to the appropriate standing committees of the senate.

The committee shall report to the senate their findings and recommendations within ten days. The committee report will then be referred to the committee on rules.

When the committee on rules presents the report of the standing committee before the senate, the question shall be the confirmation of the name proposed, and the roll shall then be called and the yeas and nays entered upon the journal. (Article XIII State Constitution.)

## REGULATION OF LOBBYISTS

**Rule 71.** Any person who shall be employed for pay or for any consideration for the purpose of attempting to influence the passage or defeat of legislation before the Washington state legislature shall be designated as a lobbyist, and shall register with the president of the senate. He shall give in writing his name, business address and the name and address of the person or organization by whom employed. He shall also state whether he is paid on a permanent basis with a lobbying assignment as a partial, temporary, or incidental part of his duties, or whether his employment is solely for lobbying purposes.

Every person so registering shall receive an admission card signed by the president of the senate.

If, after initial registration, a lobbyist is retained for compensation by an additional employer or interest, he shall immediately file a written notice of that fact with the president of the senate.

All lobbying information shall be filed in the president of the senate's office and be available for inspection by the members.

Any lobbyist not fully complying with the provisions of this rule is subject to having all lobbying privileges canceled by the senate committee on rules.

**VOTE ON FREE CONFERENCE  
COMMITTEE REPORT**

**Rule 72.** No floor vote may be taken on any free conference committee report within twenty-four hours of its placement on each member's desk, unless the free conference committee made no changes in the bill as it was last acted upon by the senate.

**VOTE RECORD OF STANDING COMMITTEES**

**Rule 73.** On any vote in a standing committee one-sixth of the members of such committee may demand that the vote be recorded and filed with the secretary of the senate, who shall preserve such record for a period of four years.

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Revised 1973 by  
SID SNYDER  
Secretary of the Senate

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# Senate Standing Committees

## 1973

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**Agriculture (7)** — Jolly, Chairman; Day, Donohue, Matson, Sellar, Twigg, Washington.

**Commerce (7)** — Greive, Chairman; Francis, Herr, Lewis, R. H., Peterson, L., Wanamaker, Whetzel.

**Constitution and Elections (7)** — Grant, Chairman; Canfield, Gardner, Metcalf, Stender, Stortini, Washington.

**Ecology (7)** — Washington, Chairman; Donohue, Guess, Murray, Stortini, Van Hollebeke, Whetzel.

**Education (7)** — Gardner, Chairman; Bottiger, Fleming, Murray, Newschwander, Odegaard, Peterson, T.

**Financial Institutions (7)** — Dore, Chairman; Clarke, Jones, Keefe, Mardesich, Newschwander, Walgren.

**Higher Education (7)** — Sandison, Chairman; Donohue, Durkan, Guess, Marsh, Metcalf, Scott.

**Judiciary (11)** — Francis, Chairman; Woody, Vice Chairman; Atwood, Bottiger, Clarke, Dore, Durkan, Greive, Twigg, Van Hollebeke, Woodall.

**Labor (7)** — Connor, Chairman; Fleming, Grant, Jones, Matson, Ridder, Stender.

**Local Government (11)** — Fleming, Chairman; Ridder, Vice Chairman; Connor, Gardner, Jolly, Lewis, R. H., Murray, Sellar, Talley, Walgren, Whetzel.

**Natural Resources (7)** — Peterson, L., Chairman; Lewis, H., Metcalf, Peterson, T., Rasmussen, Sandison, Talley.

**Parks and Recreation (7)** — Knoblauch, Chairman; Bailey, Canfield, Jones, Odegaard, Wanamaker, Woody.

**Rules (14)** — Lt. Gov. Cherberg, Chairman; Atwood, Bailey, Bottiger, Guess, Henry, Herr, Keefe, Lewis, H., Mardesich, Marsh, Stender, Talley, Woodall.

**Social and Health Services (13)** — Day, Chairman; Van Hollebeke, Vice Chairman; Clarke, Connor, Francis, Greive, Herr, Jones, Keefe, Murray, Twigg, Woodall, Woody.

**State Government (7)** — Rasmussen, Chairman; Day, Henry, Knoblauch, Lewis, H., Scott, Wanamaker.

**Transportation and Utilities (17)** — Walgren, Chairman; Henry, Vice Chairman; Stortini, Vice Chairman; Bottiger, Guess, Jolly, Knoblauch, Lewis, R. H., Matson, Peterson, L., Rasmussen, Sellar, Stender, Talley, Wanamaker, Washington, Whetzel.

**Ways and Means (19)** — Durkan, Chairman, Donohue, Vice Chairman; Odegaard, Vice Chairman; Atwood, Bailey, Canfield, Dore, Fleming, Gardner, Grant, Lewis, H., Mardesich, Marsh, Metcalf, Newschwander, Peterson, T., Ridder, Sandison, Scott.

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# Senate Individual Committees

1973

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- ATWOOD (R. Frank)**—Judiciary; Rules; Ways and Means.
- BAILEY (Robert C.)**—Parks and Recreation; Rules; Ways and Means.
- BOTTIGER (R. Ted)**—Education; Judiciary; Rules; Transportation and Utilities.
- CANFIELD (Damon R.)**—Constitution and Elections; Parks and Recreation; Ways and Means.
- CLARKE (George W.)**—Financial Institutions; Judiciary; Social and Health Services.
- CONNOR (Frank T.)**—Chairman: Labor; Local Government; Social and Health Services.
- DAY (William S.)**—Chairman: Social and Health Services; Agriculture; State Government.
- DONOHUE (Hubert F.)**—Vice Chairman: Ways and Means; Agriculture; Ecology; Higher Education.
- DORE (Fred H.)**—Chairman: Financial Institutions; Judiciary; Ways and Means.
- DURKAN (Martin J.)**—Chairman: Ways and Means; Higher Education; Judiciary.
- FLEMING (George)**—Chairman: Local Government; Education; Labor; Ways and Means.
- FRANCIS (Pete)**—Chairman: Judiciary; Commerce; Social and Health Services.
- GARDNER (Booth)**—Chairman: Education; Constitution and Elections; Local Government; Ways and Means.
- GRANT (Gary)**—Chairman: Constitution and Elections; Labor; Ways and Means.
- GREIVE (R. R. Bob)**—Chairman: Commerce; Judiciary; Social and Health Services.
- GUESS (Sam C.)**—Ecology; Higher Education; Rules; Transportation and Utilities.
- HENRY (Al)**—Vice Chairman: Transportation and Utilities; Rules; State Government.
- HERR (Gordon)**—Commerce; Rules; Social and Health Services.
- JOLLY (Dan)**—Chairman: Agriculture; Local Government; Transportation and Utilities.
- JONES (John D.)**—Financial Institutions; Labor; Parks and Recreation; Social and Health Services.
- KEEFE (James E.)**—Financial Institutions; Rules; Social and Health Services.

- KNOBLAUCH (Reuben A.)**—**Chairman:** Parks and Recreation; State Government; Transportation and Utilities.
- LEWIS (Harry B.)**—Natural Resources; Rules; State Government; Ways and Means.
- LEWIS (R. H. (Bob))**—Commerce; Local Government; Transportation and Utilities.
- MARDESICH (August P.)**—Financial Institutions; Rules; Ways and Means.
- MARSH (Dan)**—Higher Education; Rules; Ways and Means.
- MATSON (Jim)**—Agriculture; Labor; Transportation and Utilities.
- METCALF (Jack)**—Constitution and Elections; Higher Education; Natural Resources; Ways and Means.
- MURRAY (John S.)**—Ecology; Education; Local Government; Social and Health Services.
- NEWSCHWANDER (Charles E.)**—Education; Financial Institutions; Ways and Means.
- ODEGAARD (Gary M.)**—**Vice Chairman:** Ways and Means; Education; Parks and Recreation.
- PETERSON (Lowell)**—**Chairman:** Natural Resources; Commerce; Transportation and Utilities.
- PETERSON (Ted G.)**—Education; Natural Resources; Ways and Means.
- RASMUSSEN (A. L.)**—**Chairman:** State Government; Natural Resources; Transportation and Utilities.
- RIDDER (Robert C.)**—**Vice Chairman:** Local Government; Labor; Ways and Means.
- SANDISON (Gordon)**—**Chairman:** Higher Education; Natural Resources; Ways and Means.
- SCOTT (George W.)**—Higher Education; State Government; Ways and Means.
- SELLAR (George L.)**—Agriculture; Local Government; Transportation and Utilities.
- STENDER (John H.)**—Constitution and Elections; Labor; Rules; Transportation and Utilities.
- STORTINI (Joe)**—**Vice Chairman:** Transportation and Utilities; Constitution and Elections; Ecology.
- TALLEY (Don L.)**—Local Government; Natural Resources; Rules; Transportation and Utilities.
- TWIGG (Robert W.)**—Agriculture; Judiciary; Social and Health Services.
- VAN HOLLEBEKE (Ray)**—**Vice Chairman:** Social and Health Services; Ecology; Judiciary.

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- WALGREN (Gordon L.)**—Chairman: Transportation and Utilities; Financial Institutions; Local Government.
- WANAMAKER (F. Pat)**—Commerce; Parks and Recreation; State Government; Transportation and Utilities.
- WASHINGTON (Nat W.)**—Chairman: Ecology; Agriculture; Constitution and Elections; Transportation and Utilities.
- WHETZEL (Jonathan)**—Commerce; Ecology; Local Government; Transportation and Utilities.
- WOODALL (Perry B.)**—Judiciary; Rules; Social and Health Services.
- WOODY (Frank)**—Vice Chairman: Judiciary; Parks and Recreation; Social and Health Services.

# SENATE ROSTER, 1973

## FORTY-THIRD SESSION

JOHN A. CHERBERG, President

SID SNYDER, Secretary

AL HENRY, President Pro Tem

JAMES E. KEEFE, Vice President Pro Tem

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Atwood, R. Frank..	42	Whatcom, part..	220 Bellingham Nat'l Bk. Bldg., Belling- ham 98225	46	Massachusetts	R	Attorney	1963-63 Ex.- 65-65 Ex.- 67-67 Ex.-69- 69-Ex.-70 Ex.- 71-71 Ex.- 72 Ex.	.....
Bailey, Robert C..	19	{Grays Harbor- Pacific, part....}	Box 146, South Bend 98586	54	Washington	D	West. Adm. Asst. for Hon. Julia Butler Hansen	1957-59-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1951-51 Ex. 51 2nd Ex.-53-53 Ex-55-55 Ex.
Bottiger, R. Ted.....	2	{Pierce, part- Thurston, part..}	8849 Pacific Ave., Tacoma 98444	40	Washington	D	Attorney	1965-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Canfield, Damon R..	8	{ Benton- Yakima, part.. }	1368 Upland Dr., Sunny- side 98944.....	75	Arkansas .....	R	School Teacher, retired, and Fruit and Cattle .... Rancher .....	1967-67 Ex.- 69-69 Ex. 70 Ex.- 71-71 Ex.- 72 Ex.	1953-53 Ex.- 55-55 Ex.- 57-59-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.
Clarke, George W.	41	King, part.....	3335 W. Mercer Way, Mercer Island 98040....	66	Iowa .....	R	Attorney .....	Appointed 1/8/71 71 Ex.- 72 Ex.-	1967-67 Ex.- 70 Ex.
Connor, Frank T...	33	King, part.....	3201 S. Massachusetts, Seattle 98144..	56	Washington ...	D	Real Estate...	Appointed 1/24/57 1957- 59-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex. 71-71 Ex.- 72 Ex.	1951-51 Ex.- 51 2nd Ex.- 53-53 Ex.- 55-55 Ex.- 57

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Day, William S.	4	{Spokane, part- Whitman, part..}	E. 2721 Sprague, Spokane 99202.	50	Illinois .....	D	Chiropractor .	1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1959-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.
Donohue, Hubert F..	9	{Adams-Asotin- Garfield- Columbia, part- Grant, part- Whitman, part..}	Rt. 2, Box 13, Dayton 99328..	51	Washington ...	D	Farmer .....	1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
								Appointed 3/11/59	
Dore, Fred H....	45	King, part.....	1424 Wash. ington Bldg., Seattle 98101...	47	Washington ...	D	Attorney .....	1959 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1953-53 Ex.- 55-55 Ex.- 57-59

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Durkan, Martin J...	47	King, part.....	404 Olympic Nat'l Life Bldg., Seattle 98104 .....	49	Montana .....	D	Attorney .....	1959-59 Ex.- 61-61 Ex.- 63-63 Ex. 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1957
Fleming, George ....	37	King, part.....	1100 Lake Wash- ington Blvd. So., Seattle 98144 .....	34	Texas .....	D	Pacific Northwest Bell Personnel Supervisor ...	1971-71 Ex.- 72 Ex.	1969-69 Ex.- 70 Ex.
Francis, Pete .....	32	King, part.....	7810 E. Green- lake Dr., No., Seattle 98115...	38	Washington ...	D	Attorney .....	Appointed 12/1/69 70 Ex.- 71-71 Ex.- 72 Ex.	1969-69 Ex.
Gardner, Booth .....	26	{Kitsap, part- Pierce, part....}	520 N. Stadium Way, Tacoma 98403 .....	36	Washington ...	D	President, Laird Norton Co. ....	1971-71 Ex.- 72 Ex.	.....



## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Guess, Sam C.....	6	Spokane, part...	W. 408-33rd Ave., Spokane 99203 .....	63	Mississippi	R	Civil Engineer ....	1963-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Henry, Al .....	17	{ Clark, part- Klickitat- Skamania .....	Rio Vista, White Salmon 98672 .....	61	Kansas	D	Telephone Executive ...	1957-59-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.-71-71- Ex.-72 Ex.	1941-45- 51-51 Ex.- 51 2nd Ex.- 55-55 Ex.
Herr, Gordon ...	31	King, part .....	10617-21st S.W., Seattle 98146...	46	Washington	D	Association Executive ...	Appointed 1/20/64 1965-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1963-63 Ex.

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Jolly, Dan .....	16	{ Franklin- Walla Walla- Columbia, part.. }	Box 185, Connell 99326..	65	Washington ...	D	Farmer .....	1971-71 Ex.- 72 Ex.	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70- Ex.
Jones, John D....	48	King, part .....	18 Bridlewood Circle, Kirkland 98033	49	Wales .....	R	Manager, Bellevue- Issaquah Pac. N.W. Bell .....	Appointed 1/8/1973	1971-71 Ex.-72 Ex.
Keefe, James Edward ...	3	Spokane, part ..	727 E. Sinto, Spokane 99205.	64	New York.....	D	Sales Manager .....	1949-50 Ex.- 1951-51 Ex.- 51 2nd Ex.- 53-53 Ex.- 55-55 Ex.- 57-59-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.-71-71 Ex.-72 Ex.	.....

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
								1953-53 Ex.-	
								55-55 Ex.-	
								57-59-59 Ex.-	
								61-61 Ex.-	
								63-63 Ex.-	
								65-65 Ex.-	
								67-67 Ex.-	
							Right-of-Way		
							Dept., Pierce		1947-49-
							Co. Engi-	70 Ex.-	50 Ex.-
							neer's Dept...	71-71 Ex.-	51-51 Ex.-
								72 Ex.	51 2nd Ex.
Knoblauch, Reuben A.	25	{King, part- Pierce, part ....}	P.O. Box 306, Sumner 98390..	58	Washington ...	D			
								1965-65 Ex.	
								67-67 Ex.-	
							Owner-Mgr.,	69 Ex.-70 Ex.-	1961-61
							Wood Fabri-	71-71 Ex.-	Ex.-63-63
							cators, Inc...	72 Ex.	Ex.
Lewis, Harry B...	22	Thurston, part...	2019 Clairemont Circle, Olympia 98502 .....	45	Pennsylvania ..	R			
							Vice Pres.,		
							Pub. Rela-		
							tions,		
							Lincoln First		
							Fed Savings		
							& Loan Assn.	.....	.....
Lewis, R. H. (Bob)	5	Spokane, part....	W. 4329 Arrow- head Rd., Spokane 99208.	47	Washington ...	R			

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Mardesich, August P.	38	Snohomish, part.	4712 Mermont Dr, Everett 98203..	52	California	D	Attorney, Commercial Fisherman ...	1963-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1950 Ex.- 51-51 Ex.- 51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59- 59 Ex.- 61-61 Ex.
Marsh, Daniel G..	49	Clark, part .....	P.O. Box 1086, Vancouver 98660 .....	35	Oregon	D	Attorney .....	1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.	1969-69 Ex.- 70 Ex.- 71-71-Ex.- 72 Ex.
Matson, Jim	14	Yakima, part....	Rt. 2, Box 730, Selah 98942....	45	Washington	R	Fruit grower, Shipper .....	1967-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Metcalf, Jack	21	Snohomish, part.	7421-46th W. Box 4 Mukilteo 98275	45	Washington	R	Teacher .....	1961-61 Ex.-63-63 Ex.	

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Murray, John S....	36	King, part.....	8 W. Roy St., Seattle 98119...	47	Missouri .....	R	Publisher .....	1971-71 Ex.- 72 Ex.	1967-67 Ex.- 69-69 Ex.- 70 Ex.
New- schwander, Charles E..	28	Pierce, part.....	2140 Bridge- port Way, Tacoma 98466..	52	Washington ...	R	Dentist .....	1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.
Odegaard, Gary M...	20	<div style="display: inline-block; vertical-align: middle;">                     Lewis- Wahkiakum- Cowlitz, part- Pacific, part- Thurston, part..                 </div>	Star Route 1, Box 1A, Onalaska 98570	32	Washington ...	D	Teacher .....	1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Peterson, Lowell ....	40	<div style="display: inline-block; vertical-align: middle;">                     {San Juan- Skagit- Whatcom, part.}                 </div>	Box 249, Concrete 98237.	51	Washington ...	D	Oil Distributor ..	1965-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Peterson, Ted G. ....	44	King, part.....	2345 N.W. Blue Ridge Dr., Seattle 98177...	68	Washington ...	R	President, Peterson Supply and Equipment Co. ....	1955-55 Ex.- 57-63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70-71-71 Ex.- 72 Ex.	.....

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Rasmussen, A. L. ....	29	Pierce, part.....	5415 A St., Tacoma 98408..	63	Washington ...	D	Machinist ...	61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- Appointed 10/1/1971 72 Ex.	1945-47- 49-50 Ex.- 51-51 Ex.- 51 2nd Ex.-53-53 Ex.-55-55 Ex.-57-59- 59 Ex.
Ridder, Robert "Bob" ....	35	King, part.....	5809 S. Roxbury, Seattle 98118...	45	Washington ...	D	Vice Princi- pal, Junior High School..	1967-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Sandison, Gordon ...	24	{ Clallam- Jefferson- Mason- Thurston, part .....	P.O. Box 2025, Port Angeles 98362 .....	52	Washington ...	D	Insurance Broker .....	1959-59 Ex.- 61-61 Ex.- 63-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	1949-50 Ex.-51-51 Ex. 51 2nd Ex.-53-53 Ex.-55-55 Ex.-57

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Scott, George W.	46	King, part.....	2530 N.E. 105th Pl., Seattle 98125...	35	Washington ...	R	Assistant to Dean for Development (U. of W. Med. School).	1971-71 Ex.- 72 Ex.	1969-69 Ex.-70 Ex.
Sellar, George L.	12	{Chelan-Douglas- Grant, part- Okanogan, part }	1324 Terrace Dr., E. Wenatchee 98801 .....	43	Illinois .....	R	Personnel Mgr., Eye and Ear Clinic	Appointed 1/7/72 Ex.	.....
Stender, John H.	30	King, part.....	27504 Military Rd., Auburn 98002 .....	56	Montana .....	R	Union Officer.	1963-63 Ex.- 65-65 Ex.- 67-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Stortini, Joe	27	Pierce, part.....	1623 Firlands Dr., Tacoma 98405 .....	40	Washington ...	D	Teacher .....	1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
								1957-59 Ex.-	
								61-61 Ex.-	
								63-63 Ex.-	
								65-65 Ex.-	
								67-67 Ex.-	
								69-69 Ex.-	
								70 Ex.-	
Talley, Don L.....	18	{Clark, part- Cowlitz, part }	1583 Mount Pleasant Rd., , Kelso 98626....	54	Washington ...	D	Supervisor, Port of Longview ...	71-71 Ex.- 72 Ex.	.....
		{Ferry-Lincoln- Pend Oreille- Stevens-Okanogan, part- Spokane, part }	817 Northtown Bldg., Spokane, 99207 .....	47	Washington ...	R	Attorney, Real Estate Broker .....	1967-67 Ex.- 69-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	.....
Twigg, Robert W..	7								
Van Hollebeke, Ray .....	1	{King, part- Snohomish, part }	18735 53rd Ave. N.E., Seattle 98155 .....	43	Illinois .....	D	Real Estate Consultant ..	.....	.....
			245 Fourth St. Bldg, Bremerton					1969-69 Ex.- 70 Ex.- 71-71 Ex.- 72 Ex.	
Walgren, Gordon L..	23	Kitsap, part.....	98310 .....	39	Washington ...	D	Attorney .....	72 Ex.	1967-67 Ex.

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Wanamaker, F. "Pat" .. 10	{Island- Snokomish, part}	Rt. 1, Box 193A, Coupeville 98239 .....	62	Washington	... R	Retired .....	.....		1967-67
Ex.-69-69									
									Ex.-70
									Ex.-71-71
									Ex.-72 Ex.
									1951-51 Ex.-
									51 2nd Ex.-
									53-53 Ex.-
									55-55 Ex.-
									57-59-59 Ex.-
									61-61 Ex.-
									63-63 Ex.-
									65-65 Ex.-
									67-67 Ex.-
									69-69 Ex.-
									70 Ex.-
									71-71 Ex.-
Washington, Nat W. ... 13	{Kittitas- Grant, part Yakima, part }	42 "C" St. N.W., Ephrata 98823.	58	Washington	... D	Attorney .....	72 Ex.		1949-50 Ex.
Whetzel, Jonathan . 43	King, part.....	1511 E. Olin Place, Seattle 98112 .....	46	Pennsylvania	.. R	Vice Pres., KING Broad- casting Co....	1971-71 Ex.- 72 Ex.		1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
								Appointed 12/26/56	
								1957-59 Ex.-	
								61-61 Ex.-	
								63-63 Ex.-	
								65-65 Ex.-	
								67-67 Ex.-	1939-41-43
								69-69 Ex.-	47-49-50
								70 Ex.-	Ex.-51-51
								71-71 Ex.-	Ex.-51 2nd
Woodall, Perry B...	15	Yakima, part....	P.O. Box 507, Toppenish 98948 .....	60	Washington ...	R	Attorney .....	72 Ex.	Ex.
Woody, Frank ....	39	{King, part- Snohomish, part}	24228-47th, Woodinville 98043 .....	35	Montana .....	D	Attorney .....	.....	.....
								Elected 1957	
								1959-59 Ex.-	
								61-61 Ex.-	
								63-63 Ex.-	
								65-65 Ex.-	
								67-67 Ex.-	
								69-69 Ex.-	
								70 Ex.-	
Lieutenant Governor Cherberg, John A.....		President of the Senate .....	Legislative Building, Olympia 98504.	62	Florida .....	D	Lieutenant Governor .....	71-71 Ex.- 72 Ex.	

## SENATE ROSTER, FORTY-THIRD SESSION, 1973—Continued

NAME OF MEMBER	District	County	Mailing Address	Age	Birthplace	Politics	Occupation	PREVIOUS LEGISLATIVE SESSIONS SERVED	
								Senate	House
Snyder, Sid .....		Secretary of the Senate .....	P.O. Box 531, Long Beach 98631 .....	46	Washington ...	D	Owner, Operator, Supermarket	Elected 5/12/69 1970 Ex.- 71-71 Ex.- 72 Ex.	Served as Assistant Chief Clerk or Acting Chief Clerk 1957 to May, 1969
Johnson, Charlie ....		Sergeant at Arms	624 Carlyon, Olympia 98501.	61	Washington ...	D	Merchant ....	Elected 1957-59- <del>61-63-65-</del> 67-69-70- 71-72	House Member 1951 Served as Sergeant at Arms 1955

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# THE HOUSE OF REPRESENTATIVES

FORTY-THIRD LEGISLATIVE  
SESSION, OLYMPIA

1973

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Rules of the House of Representatives  
Roster of the Members and  
Committee Assignments

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Brief Summary of the Rules of the House

## OFFICERS

**Leonard A. Sawyer**  
Speaker of the House

**John L. O'Brien**  
Speaker Pro Tempore

**Dean R. Foster**  
Chief Clerk of the House

**Donald R. Wilson**  
Assistant Chief Clerk

**Ray L. Olsen**  
Sergeant at Arms

## **House Legislative Leaders—1973**

Leonard A. Sawyer, Speaker

John L. O'Brien, Speaker Pro Tempore

Robert L. Charette, Majority Floor Leader

Paul H. Conner, Majority Whip

William "Bill" Chatalas, Majority Caucus Chairman

Alan Thompson, Assistant Majority Floor Leader

Dan Van Dyk, Assistant Majority Whip

Lorraine Wojahn, Majority Caucus Secretary

Thomas A. Swayze, Jr., Minority Leader

Sid W. Morrison, Minority Organization Leader

Irving Newhouse, Republican Caucus Chairman

A. J. "Bud" Pardini, Minority Whip

Lois North, Republican Caucus Secretary

Axel Julin, Assistant Minority Floor Leader

Bob Curtis, Assistant Minority Floor Leader

John Rabel, Republican Caucus Coordinator

Kenneth O. Eikenberry, Assistant Minority Whip

## VOTES NECESSARY ON HOUSE ACTION

### Actions requiring constitutional majority (50 votes).

1. To pass bills. (Const., Sec. 22, Art. 2.)
2. To impeach. (Const., Sec. 1, Art. 5.)
3. To change any standing rule or order. Rule 85.  
(1 day's notice.)
4. To constitute a quorum. (Const., Sec. 8, Art. 2.)  
Rule 41.
5. To order bill out of Rules Committee on Calendar.  
Rule 43.

### Actions requiring a majority of members present.

6. To change time of meeting. Rule 40.
7. To decide case of member called to order. Rule  
53.
8. To indefinitely postpone a bill, etc. Rule 47.
9. To allow a member to speak more than twice on  
any question. Rule 51.
10. To excuse a member from voting. Rule 64.
11. To reconsider. Rule 70.
12. To withdraw a bill, motion, etc. Rule 54.
13. To pass motions and resolutions other than speci-  
fied.
14. To allow reading of a paper. Rule 57.
15. To take up out of order messages from Senate or  
Governor. (Rule 43 and Reed's Parliamentary  
Practice.)
16. To amend bills, etc., joint and concurrent resolu-  
tions and constitutional amendments.
17. To send bills, memorials, etc., to Senate same  
day of passage. Rule 39.
18. To amend rules on one day's notice. Rule 85.  
Joint Rule 32.
19. To give use of House Chamber. Rule 11.

### Actions requiring two-thirds vote of members present.

20. To order previous question. Rule 55.
21. Temporary suspension of any house rule. Rule 85.
22. To postpone special order for consideration of bill,  
etc. (Parliamentary Practice.)

### Actions requiring consent of one-sixth of members present.

23. Demand for oral roll call. Rule 68.
24. May demand call of the House. Rule 71.

### Actions requiring presence of eight members or more.

25. May demand attendance of others. Rule 41.

### Actions requiring two-thirds vote of members elected to the House (66 votes).

26. May expel a member. (Const., Sec. 9, Art. 2.)

### Actions requiring constitutional majority of members elected to the House (50 votes), and also a constitutional majority of all members elected to the Senate (25 votes).

27. May abolish the office of the Lieutenant Governor.  
(Const., Sec. 25, Art. 3.)

28. May abolish the office of State Auditor. (Const., Sec. 25, Art. 3.)
29. May abolish the office of Commissioner of Public Lands. (Const., Sec. 25, Art. 3.)

**Actions requiring two-thirds vote of members elected to the House (66 votes), and also two-thirds vote of members elected to the Senate (33 votes).**

30. To introduce a bill during the last ten days of session. (Const., Sec. 36, Art. 2.)
31. To pass a constitutional amendment. (Const., Sec. 1, Art. 23.)
32. To amend the Constitution. (Const., Sec. 1, Art. 23.)
33. To call a constitutional convention. (Const., Sec. 2, Art. 23.)

**Action requiring two-thirds vote of the members present in both houses.**

34. To pass a measure over the veto of the Governor. (Const., Sec. 12, Art. 3.)

**Actions requiring three-fourths vote of all members elected to both houses.**

35. May remove judicial officers. (Const., Sec. 9, Art. 4.)
36. May remove Attorney General. (Const., Sec. 9, Art. 4.)

**Actions requiring majority of both houses.**

37. To adjourn for more than three days. Joint Rule 25 and (Const., Sec. 11, Art. 2.)
38. To amend joint rules. (Joint Rule 32.)

**Actions frequently taken by unanimous consent.**

39. To do any of the things above-mentioned after the following item numbers: 6, 9, 10, 12, 14, 16, 17, 18, 20, 22, to depart from the committee reports out of order, etc., to take up a bill out of order for purpose of amending, or, to extend time for debate on any measure.

# RULES OF THE HOUSE OF REPRESENTATIVES

## FORTY-THIRD LEGISLATURE

1973

### Chief Clerk to Call to Order

**Rule 1.** Custom, so prevalent and so ancient as to have the force of law, has made it the duty of the chief clerk of the previous assembly to call the session to order and to conduct the proceedings generally until a speaker is chosen.

The secretary of state furnishes to the clerk a certified statement of the names of the members elect, which is read by the clerk. The roll is called and the oath of office is administered to the members by a justice of the supreme court. The members rise and are sworn. After adoption of temporary rules, the assembly then proceeds to the election of its officers.

### Election of Speaker, Chief Clerk and Sergeant at Arms

**Rule 2.** The house shall elect the following officers at the commencement of each regular session: Its presiding officer, who shall be styled speaker of the house, a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker, a chief clerk of the house, and a sergeant at arms. An assistant chief clerk may be elected on any legislative day. Such officers shall hold office during all sessions until the convening of the succeeding regular session.

In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their vote shall be entered on the journal.

### Powers and Duties of Speaker

**Rule 3.** The speaker shall take the chair every day precisely at the hour to which the house shall have adjourned on the preceding day. He shall call the members to order immediately, and on the appearance of a majority of the members shall proceed with the order of business prescribed by Rule 44.

He shall possess the powers and perform the duties herein prescribed, viz.:

(a) He shall preserve order and decorum, may speak to points of order in preference to the other members, arising from his chair for that purpose.

(b) He shall decide all questions of order, subject to appeal to the house. On every appeal he shall have the right, in his place, to assign his reason for his decision.

(c) The speaker shall rise to put a question, but may state it sitting.

(d) The speaker shall have a general direction of the house chamber.

(e) He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

(f) In appointing the committee members to standing committees, the speaker shall name members in the same ratio as the membership of the respective parties in the house. Committee members will be selected by each party's caucus. The majority party caucus will select all committee chairmen.

Members of the Rules Committee will be selected in the same manner and same ratio as provided above, and the speaker will serve as chairman of the Rules Committee.

Interim committee memberships will be elected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the caucus election of interim committee members.

Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

(g) In case of any disturbance or disorderly conduct in the house chamber and legislative areas, the speaker (or chairman of the whole house) shall have the power to order the same to be cleared.

(h) He shall designate the persons who shall act as reporters for the public press.

(i) He shall announce the business before the house in the order in which it is to be acted upon.

(j) He shall sign all acts, joint resolutions, concurrent resolutions and joint memorials in open session of the house.

(k) He shall authenticate by his signature, when necessary, all the acts, orders and proceedings of the house.

(l) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of his death, illness, or inability to act, until the speaker's successor shall be elected.

### **Writs, Warrants and Subpoenas, How Issued**

**Rule 4.** All writs, warrants and subpoenas issued by the order of the house shall be under the hand and seal of the speaker, attested by the chief clerk.

### **Certification of Payroll of Members and Employees**

**Rule 5.** The speaker shall sign and the chief clerk countersign all payrolls and vouchers for all expenses of the house and transmit same to the state treasurer and budget director for payment.

### **Duties of Chief Clerk**

**Rule 6.** The duties of the chief clerk shall be as follows:

(a) He shall employ all employees of the house on recommendations of the employment committee, by and with the consent of the speaker and may remove them subject to the approval of the employment committee, by and with the consent of the speaker: *Provided, however,* That the wives of members of the house of representatives and senate shall not be eligible for employment in the house: *And provided further,* That no one who has reached the age of seventy shall be employed in the house.

(b) He shall see that the journal is kept properly, and have general supervision over all clerks and employees not under the supervision of the sergeant at arms.

(c) Under the direction of the presiding officer, he shall perform all other duties pertaining to his

office as clerk and shall be responsible for the official acts of his assistants.

(d) The assistant chief clerk shall exercise the duties, powers and prerogatives of the chief clerk in the event of his death, illness or inability to act.

## **EMPLOYEES**

### **Duties of Employees**

**Rule 7.** The staff of the house shall perform such duties as usually pertain to their respective positions in legislative bodies under the direction of the speaker, and such other duties as the house may impose upon them. Under no circumstances shall the compensation of any employee be increased for past services.

No house employee shall seek to influence the passage or rejection of proposed legislation.

### **Supplies for the House**

**Rule 8.** All supplies for the use of the house shall be furnished upon requisition signed by the chief clerk and approved by the speaker.

### **Duties of Sergeant at Arms**

**Rule 9.** The duties of the sergeant at arms shall be as follows:

(a) He shall attend the house during the sittings, announce all messages, preserve order, execute all processes issued by authority of the house and directed to him by the speaker.

(b) He shall see that the house chamber, adjoining rooms, committee rooms and members' offices are kept clean, well-heated and ventilated, and open for the use of the members from 8:00 a.m. until 11:00 p.m.; and that the furniture is kept in good order and repair. He shall protect any personal property of house members left in the house chamber and committee rooms.

(c) He shall see that no person is admitted to the house chamber or committee rooms except in accordance with the provisions of Rules 13 and 14 and shall strictly enforce the house rules regulating lobbying.

### **Duties of Sergeant at Arms Staff**

**Rule 10.** All employees in the department of the sergeant at arms shall report and remain on duty as the sergeant at arms shall designate.

### **Use of House Chamber**

**Rule 11.** The use of the committee rooms shall not be granted for any purpose without consent of the committee chairmen, except for meetings of the members of the legislature. The lounge rooms are for the exclusive use of the members of the legislature.

Permission to use any house facility must be obtained from the Rules Committee, while the legislature is in session, or the speaker following adjournment.

### **Visitors' Gallery**

**Rule 12.** Portions of both galleries may be reserved for the use of the ladies and families of the governor, lieutenant governor, state officials and members of the legislature. The balance of both galleries shall be used by visitors for the orderly observation of the proceedings of the house. No member of the house, except the speaker, may introduce visitors in the gallery. The speaker may order the gallery closed when applause or other disorderly conduct occurs in the gallery.

### **Admittance to the Floor**

**Rule 13.** (A) Except as is provided otherwise in subsection (B) of this rule, the following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.
4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by

the speaker or speaker pro tempore and subject to revocation.

5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.

6. Other persons, upon presentation of cards of admittance issued by the speaker, the chief clerk, or members of the house, and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for one-half hour immediately following adjournment each day the house is in session.

(B) No lobbyist, Washington state employee or public official shall be admitted to the house chamber either when the house is convened into its daily session or one-half hour immediately prior to and following the convening of its daily session, except with the consent of the speaker.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited at all times unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

### **Regulation of Lobbyists**

**Rule 14.** Every person registering pursuant to RCW 42.17 shall receive an admission card signed by the speaker.

All lobbying information filed in the speaker's office shall be available for inspection by the members, press and public.

Any lobbyist not fully complying with the provisions of the House Rules and RCW 42.17 is subject to having all lobbying privileges canceled by the House Rules Committee.

If RCW 42.17 be declared invalid every said person shall comply with RCW 44.64.010-.060.

### **House Courtesy Recognition Limited**

**Rule 15.** When the house is in session, recognition of visitors and former members shall be made only by the speaker.

### **Absentees**

**Rule 16.** No member shall absent himself from the service of the house unless he shall have leave from the speaker or be sick and unable to attend.

### **Number of Copies of Bills, Etc.**

**Rule 17.** All bills, resolutions and memorials to be introduced shall be endorsed with a statement of the title and the name of the member or members introducing the same. A bill shall be introduced by no more than three members unless approved by the prime sponsor. Sufficient copies shall be filed as required by the chief clerk. The original is for the use of the house. Bills filed before the opening day of the session or originating in the Statute Law Committee or in the Legislative Council may be introduced in printed form.

### **Bill Backs, Etc.**

**Rule 18.** There shall be attached to each bill, resolution or memorial sent to the clerk's desk a substantial cover, which shall be furnished by the clerk and shall bear no writing except the name of the person or persons or committee introducing it and the title of the bill.

### **Petitions, Memorials, Etc., Addressed to House—Disposition**

**Rule 19.** Petitions, memorials or other papers, addressed to the house may be presented by the speaker or any member, and shall not be debated or decided on the day of their being first read unless the house shall direct otherwise. Floor resolutions shall be on file with the chief clerk for at least 24 hours prior to being read, and the members shall be furnished with copies of the same by the chief clerk.

### **Bills—Time for Introducing**

**Rule 20.** (1) All bills shall be introduced on or before the thirty-sixth day of a regular session except revenue and taxation bills and executive request bills which shall be introduced on or before the fiftieth day of a regular session and except as the legislature shall direct by a vote of

two-thirds of all members elected to each house, said vote to be taken by yeas and nays and entered upon the journal; or unless the same be at a special session. The time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

(2) Introduction of bills by departmental request shall be limited to the first twenty days of the session unless the house shall otherwise direct by a vote of two-thirds of all the members elected to the house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

### **Introduction of Bills, Etc.**

**Rule 21.** Any member desiring to introduce a bill, memorial or resolution on or after the opening day of any session, except resolutions having to do with business of the house, shall file the same with the chief clerk not later than 12:00 (noon), on the day before the next convening session; and which bill, memorial or resolution shall be numbered and read on the next convening day, in the order filed.

On the 36th day bills may be filed with the chief clerk until 12:00 noon for introduction. During the 36th day all bills received by the 12:00 noon deadline will be read on "first reading introduction of bills."

Members-elect to the house may prefile bills with the chief clerk on any day after the fifteenth day of November preceding any regular session for which such member or member-elect is elected or ten days prior to any extraordinary session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day.

### **Amendatory Bills—Form**

**Rule 22.** Bills introduced in the house of representatives intended to amend existing statutes shall have the words which are amendatory to such existing statutes underlined. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken

line and enclosing the lined out material within double parentheses, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION." in upper case type and such designation shall be underlined.

### **Bills to Be Printed**

**Rule 23.** All bills shall be printed unless otherwise ordered by the house.

### **Bills—Reading of**

**Rule 24.** Every bill shall be read on three separate days unless the house deems it expedient to suspend this rule.

### **Bills—First Reading**

**Rule 25.** The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full. After the first reading, bills are referred to committees unless they are committee bills, in which event they go directly to the Rules Committee.

Upon being reported back by committee, all bills shall go to the Rules Committee.

### **Bills—Second Reading**

**Rule 26.** Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bills shall be considered on second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise provided by the Rules Committee. No amendment shall be considered by the house until it shall have been sent to the desk in writing and read by the clerk. All amendments adopted on the second reading shall be pasted securely to the original bill. All amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the

disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

### **Substitute Bills**

**Rule 27.** When a committee reports a substitute for an original bill, with the recommendation that the substitute pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

### **Amendments, When—Recommitment of Bill**

**Rule 28.** Amendments to any bill, resolution or memorial may be offered when the same is on its second reading.

No amendments to a bill shall be received on its third reading, but it may be referred or re-committed for the purpose of amendment.

### **Amendments to Be Offered on Furnished Blanks**

**Rule 29.** The chief clerk shall furnish to members sheets with a proper heading printed in blank, upon which amendments shall be written; and all amendments offered shall be on such blanks and bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

### **Committee Amendments**

**Rule 30.** An amendment to a bill made by a committee shall be in writing in quadruplicate, the original amendment to be pasted to the original copy of the committee report, and the three extra copies of each amendment shall be attached to the committee report with a clip.

When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house in the same manner as amendments that may be offered from the floor.

### **Senate Amendments to House Bills**

**Rule 31.** A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills.

### **Amendments to Be Germane**

**Rule 32.** No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

### **Substitution of Committee Bill**

**Rule 33.** In the event a committee has a number of bills on the same subject, none of which can be agreed upon by the committee, and it is their wish to present a different bill upon the same subject, such bill must be reported to the house before any of the other bills can be recommended for indefinite postponement.

### **Member's Privilege to Check Engrossed and Enrolled Bills**

**Rule 34.** Any representative shall have the right to compare the original bill and amendments thereto and any representative shall have the right to compare an enrolled bill with the engrossed bill before the speaker signs the same.

### **Third Reading**

**Rule 35.** Only the last line of bills on third reading shall be read unless a majority of the members present demand its reading in full, and no amendment shall be entertained.

### **Recommitment Before Final Passage**

**Rule 36.** A bill may be recommitted at any time before its final passage.

### **Final Passage**

**Rule 37.** No bill shall become a law unless on its final passage the vote be taken by yeas and

nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded as voting in its favor. (See also Constitution, Art. 2, Sec. 22.)

### **Bills Passed—Certification**

**Rule 38.** When a bill shall pass, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

### **Bill—When Sent to Senate**

**Rule 39.** No bill, memorial or resolution shall be sent to the senate until the following day after its passage unless otherwise ordered by the house.

### **Hour of Meeting**

**Rule 40.** The speaker shall call the house to order each day of sitting at 9:30 a.m., unless the house shall have adjourned to some other hour.

### **Roll Call and Quorum**

**Rule 41.** Before proceeding to business, the roll of the members shall be called and the names of those absent shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. Seven members with the speaker, or eight members in his absence, having chosen a speaker pro tempore, shall be authorized to call the house and compel the attendance of absent members, making order for their fine and censure, and may adjourn. For the purpose of determining whether a quorum be present, the speaker, or chairman, shall count all members present, whether voting or not.

### **Interruption of Roll Call**

**Rule 42.** When once begun, the roll call may not be interrupted.

### **Daily Calendar**

**Rule 43.** The Rules Committee shall have charge of the daily calendar of the house and direct the chief clerk the order in which the bus-

iness of the house shall be transacted: *Provided*, That,

(a) A bill in the Rules Committee may be placed on the calendar by the affirmative vote of a constitutional majority of all members of the house.

(b) Messages from the governor or senate or any communication from any state officer may be read at any time.

### Order of Business

**Rule 44.** Business shall be disposed of in the following order:

First—Roll call, presentation of colors, prayer and approval of the journal of the preceding day.

Second—Introduction of visiting dignitaries.

Third—Messages from the Senate, Governor and other state officials.

Fourth—Introduction and first reading of bills, memorials, joint resolutions and concurrent resolutions.

Fifth—Committee reports.

Sixth—Second reading of bills.

Seventh—Third reading of bills.

Eighth—Floor resolutions and motions.

Ninth—Presentation of petitions, memorials and remonstrances addressed to the Legislature.

Tenth—Introduction of visitors and other business to be considered.

Eleventh—Announcements.

### Unfinished Business

**Rule 45.** The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

### Motions to Be Entertained or Debated

**Rule 46.** No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. It shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated, and by the consent of

the house may be withdrawn before amendment or action.

### **Motions in Order During Debate**

**Rule 47.** When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

#### **Privileged Motions**

Adjourn  
 Adjourn to a time certain  
 Recess to a time certain  
 Reconsider  
 Demand for division  
 Question of privilege  
 Orders of the Day

#### **Subsidiary Motions**

First rank —Question of consideration  
 Second rank—To lay on the table  
 Third rank —For the previous question  
 Fourth rank —To postpone to a day certain  
                   To commit or recommit  
                   To postpone indefinitely  
 Fifth rank —to amend

#### **Incidental Motions**

Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question  
 No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

#### **Without Debate**

**Rule 48.** A motion to adjourn, to take a recess, to lay on the table and a call for the previous question shall be decided without debate.

All incidental questions of order arising after a motion is made for either of the questions named in this rule and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

A motion for suspension of the rules shall not be debatable, except, however, the mover of the motion may briefly explain the purpose of his motion, and one opponent to the motion may briefly explain his position.

### **Recognition of Speaker**

**Rule 49.** When any member is about to speak in debate or deliver any matter to the house he shall rise from his seat, respectfully address himself to Mr. Speaker, pause until recognized, shall confine himself to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

### **Order of Speaking**

**Rule 50.** When two or more members arise at once, the speaker shall name the one who is to speak.

### **Right of Members to Speak**

**Rule 51.** No member shall speak more than twice on the same question without leave of the house: *Provided*, That the chairman of the committee or the mover of the question may close the debate except as provided in Rule 55: *Provided further*, That no member shall speak longer than ten minutes without consent of the house.

After the fiftieth day no member shall speak more than once on the same question without leave of the house: *Provided*, That the chairman of the committee or the mover of the question, may close the debate except as provided in Rule 55: *Provided further*, That no member shall speak more than three minutes without the consent of the house.

### **Exception to Words Spoken in Debate**

**Rule 52.** If any member be called to order for words spoken in debate the person calling him to order shall repeat the words excepted to and they

shall be taken down in writing at the clerk's table, and no member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

### **Transgression of Rules—Appeal**

**Rule 53.** If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case shall require it, he shall be liable to the censure of the house.

### **Withdrawal of Motion, Bill, Etc.**

**Rule 54.** After a motion is stated by the speaker, or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

### **Previous Question**

**Rule 55.** The previous question upon all recognized motions or amendments which are debatable may be ordered by two-thirds of the members present, and shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: *Provided, however,* That one of the sponsors of a bill, memorial, or resolution, or, in his stead, the chairman of the committee, when the measure is on final passage or when the motion to postpone indefinitely is pending, may have the privilege of closing debate after the previous question has been ordered.

### **Putting the Motion Ending Debate**

**Rule 56.** The previous question is not debatable and cannot be amended. The previous ques-

tion shall be put in this form: "Mr. ....  
..... demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer, without debate, proceeds to put the question.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

### **Reading of a Paper**

**Rule 57.** When the reading of any paper is called for, and is objected to by any member, it shall be determined by a vote of the house.

### **Order of Questions**

**Rule 58.** All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks the largest sum and the longest time shall be put first.

### **Motion to Adjourn**

**Rule 59.** A motion to adjourn shall always be in order, except when the house is voting or is working under call of the house; but this rule shall not authorize any member to move an adjournment when another member has the floor.

### **Division of Points of Debate**

**Rule 60.** Any member may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

### **Putting of Question**

**Rule 61.** Questions shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye';" and after the affirmative vote is expressed, "as many as are opposed say 'No'."

### **Decorum of Members**

**Rule 62.** While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

### **Question of Privilege**

**Rule 63.** Any member may rise to a question of privilege and explain a matter personal to himself by leave of the speaker, but he shall not discuss any pending question in such explanations.

### **Members to Vote**

**Rule 64.** Every member who was in the house when the question was put shall give his vote unless the house for special reasons shall excuse him.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

### **Voting Within Bar Only**

**Rule 65.** Upon a division and count of the house on the question, only members at their desk within the bar of the house shall be counted.

### **Change of Vote—Private Interest**

**Rule 66.** When the electric roll call machine is used, no member shall be allowed to vote or change his vote after the speaker has locked the roll call machine. When the oral roll call is used, no member shall be allowed to change his vote after the result has been announced. No member shall vote on any question in the event of which

he is immediately or particularly interested,\* or in any case when he is not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound to him the question, "Were you within the bar of the house when the last name was called?"

### **Clerk's Desk During Voting**

**Rule 67.** No member or other person shall visit or remain by the clerk's desk while the yeas and nays are being called.

### **Yeas and Nays**

**Rule 68.** Upon the final passage of any bill, memorial or resolution, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: *Provided, however,* That an oral roll call shall be ordered when demanded by one-sixth of the members present.

The speaker shall vote when the yeas and nays are called for, his name being called last.

When the vote is by electric voting machine or by oral roll call on any question it shall be entered upon the journal of the house.

### **Tie Vote, Question Loses**

**Rule 69.** In case of an equal division, the question shall be lost.

If the speaker is in doubt, or if division is called for, the house shall divide.

### **Reconsideration**

**Rule 70.** Notice of a motion for reconsideration on the final passage of bills may be made only on the day the vote to be reconsidered was taken.

A motion to reconsider can be made only by a member voting on the prevailing side.

An affirmative or negative vote on the final passage of bills may be reconsidered only on the

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\*A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (See also Constitution, Art. 2, Sec. 30.)

next working day after such vote has been taken: *Provided*, That after the fiftieth day reconsideration can be had only on the day the vote to be reconsidered was taken.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

A motion to reconsider can be decided only once when decided in the negative.

### **Call of the House**

**Rule 71.** One-sixth of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

### **Doors to Be Closed**

**Rule 72.** A call of the house being ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: *Provided*, That the Rules Committee shall be allowed to meet, upon request of the speaker, in the Rules Committee room while the house stands at ease: *And provided further*, That the speaker may, at his discretion, permit members to use such portions of the fourth floor as may be properly secured.

### **Sergeant at Arms to Bring in the Absentees**

**Rule 73.** The clerk shall call a roll of the members immediately and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

### **House Under Call; Raising Call**

**Rule 74.** While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no

other motion shall be in order except a motion to proceed with business under the call of the house, a motion to suspend further proceedings under the call of the house, or a motion to excuse absentees, any of which motions shall be determined by viva voce vote unless a roll call is demanded by one-sixth of the members present. The motion to suspend further proceedings under the call or to excuse absent members shall not be adopted unless a majority of all members elected to the house vote in favor thereof.

### **Call of House Raised When Absentees Return**

**Rule 75.** When the sergeant at arms shall make a report showing that all who were absent without leave are present the call of the house may be dispensed with; or the house may proceed under the call, on a majority vote of the members elected, with its regular business.

### **Parliamentary Rules**

**Rule 76.** The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

### **Appeal from Decision of Chair**

**Rule 77.** The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

### **Veto Bills—No Reconsideration**

**Rule 78.** The veto message of the governor accompanying any bill passed by the legislature, together with the bill vetoed, shall be read in the house. It shall then be in order to proceed to the reconsideration of the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or

items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house.

Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house which have not been passed notwithstanding the veto of the governor shall remain in the custody of the officers of the house until the close of the session, after which they shall be filed with the secretary of state.

### Standing Committees

**Rule 79.** The standing committees of the house shall be as follows:

No. of Committee	Name of Committee	No. of Members
1.	Agriculture .....	11
2.	Commerce .....	18
3.	Constitution and Elections.....	11
4.	Ecology .....	16
5.	Education .....	18
6.	Financial Institutions .....	15
7.	Higher Education .....	15
8.	Judiciary .....	12
9.	Labor .....	11
10.	Local Government .....	20
11.	Natural Resources .....	15
12.	Parks and Recreation .....	10
13.	Rules .....	16
14.	Social and Health Services.....	19
15.	State Government .....	16
16.	Transportation and Utilities...	26
17.	Ways and Means.....	43
	Appropriations .....	25
	Revenue .....	19

### Notice of Committee Meetings

**Rule 80.** The chief clerk shall post on the bulletin board the time and place of committee meetings. All public hearings held by committees during the first forty days of the session shall be scheduled at least five days in advance and shall be given adequate publicity.

### Duties of Standing Committees

**Rule 81.** Standing committees shall act upon all referred bills, memorials and resolutions. Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill. A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out. That all bills, memorials, and resolutions, referred to the subcommittees on (a) Appropriations or (b) Revenue and Taxation of the Ways and Means Committee may be acted upon by the subcommittee concerned and those signed by a majority of the membership of such subcommittee shall be reported back to the House with recommendation of such subcommittee reported thereon, except that the Omnibus Appropriation Bill, Supplemental Appropriation Bill, and any bill containing an appropriation with a financial impact over a four year period in excess of ten million dollars and any bill estimated to raise or lower a revenue source by five million dollars or more over a four year period shall be acted upon and reported by the whole Ways and Means Committee. Majority recommendations of a committee can only be "do pass", "do pass as amended", or that "the attached substitute bill be substituted therefor and that the substitute bill do pass." Minority reports, "do not pass" or "without recommendation", may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto. All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports: *Provided*, That a majority of members elected to the house may require a committee to report a bill back to the house during the order of busi-

ness at which it may be considered.

All bills including a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar.

No standing committee shall vote on any issue by secret written ballot.

During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the House of Representatives shall be open to the public.

When a bill has been presented to a standing committee by its chairman, if the motion to report out fails for want of a majority favoring, one-third of the members of such committee may demand that the vote be recorded and filed with the chief clerk of the house who shall preserve such record for a period of four years.

### **Committee Quorum**

**Rule 82.** A majority of any committee shall constitute a quorum for the transaction of business.

### **Committee Cannot Meet, When**

**Rule 83.** No committee shall sit while the house is in session without special leave of the speaker: *Provided, however,* That after the fiftieth day the Rules Committee may sit at any time.

### **Free Conference Committee Report**

**Rule 84.** The house shall have twenty-four hours from the time of receipt to consider reports from a free conference committee and shall not vote thereon until the twenty-four hour period shall have elapsed.

### **Standing Rules of the House: Amendment of; Rescind**

**Rule 85.** Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: *Provided,* That the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance.

Any standing rule of order or business may be suspended temporarily by a two-thirds vote of the members present.

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## State of Washington

### HOUSE OF REPRESENTATIVES

## **A Brief Summary of the Rules**

For the convenience of the members

### FOREWORD

Parliamentary rules are designed solely for the uniform, orderly and expeditious conduct of deliberative bodies. The parliamentary system is necessary to avoid confusion and chaos—a system which will permit an assemblage to accomplish in the best possible manner the work for which it has been called. In conducting the business of the House of Representatives, we have, first, the Rules of the House which provide generally for organization and for the quick transaction of business necessary to a short sixty-day session. Secondly, we have “Reed’s Parliamentary Rules” which apply to all parliamentary questions not covered specifically by the house rules. The two together completely cover every situation that may arise in conducting the proceedings of the house and its committees.

Parliamentary procedure to many is a maze of intricate and entangling motions and the new member usually approaches the problem with apprehension, and occasionally with an inferiority, due to inexperience, that requires time and study to overcome.

To assist the new members and to refresh the memories of the re-elected members, there follows a summary of the more commonly used rules, including the proper wording of the more common motions. A careful study of and frequent reference to this brief should enable the new members particularly to quickly “feel at home” on the floor and in the committee rooms of our distinguished House of Representatives.

## Rank of Motions, Debate and Nondebatable Motions

No motion shall be entertained or debated until stated by the speaker. (House Rule 46.)

After a motion is stated by the speaker, or a bill, memorial or resolution is read by the clerk, it is in possession of the house, but may be withdrawn by consent of the house, before decision of the house. (House Rule 54.)

When a question is under debate, no motion shall be received but the following, in the rank named:

### Privileged Motions

Adjourn  
 Adjourn to a time certain  
 Recess to a time certain  
 Reconsider  
 Demand for division  
 Question of Privilege  
 Orders of the day

### Subsidiary Motions

**First rank** — Question of consideration  
**Second rank**—To lay on the table  
**Third rank** —For the previous question  
**Fourth rank**—To postpone to a day certain  
                   To commit or recommit  
                   To postpone indefinitely

### Incidental Motions

Points of order and appeal  
 Method of consideration  
 Suspend the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question  
 Questions to be decided without debate:

1. A motion to adjourn
2. To take a recess
3. To lay on the table
4. Previous question

and all incidental motions or questions of order arising thereto and pending such undebatable motions, whether on appeal or otherwise, shall be decided without debate. (House Rule 47.)

The previous question may be ordered by a two-thirds vote of members **present** upon all recognized motions or amendments which are debatable. Cuts off debate. Brings direct vote. (House Rule 55.)

If an adjournment is had after a previous question is ordered, the question on which the previous question has been ordered is the first order of business after approval of the journal on the next working day. (House Rule 56.)

Motions to be Germane. (See House Rule 32.)

A motion to adjourn shall always be in order, EXCEPT:

1. When house is voting
2. When under Call of the House
3. When another member has the floor (House Rule 59.)

Motions for Reconsideration:

Notice of a motion for reconsideration on the final passage of bills can only be given on same day that vote to be reconsidered was taken. (House Rule 70.)

The vote on the final passage of bills can only be reconsidered on the next working day after the vote to be reconsidered has been taken; EXCEPT after the fiftieth day, when reconsideration of the vote on the final passage of bills can be taken only on the same day.

When a motion to reconsider carries, it shall place before the house the original question, in exact position it occupied before originally voted upon. (House Rule 70.)

The reconsideration of motions that do not pertain to the final passage of bills must be made the same day on which the motion to be reconsidered was carried.

Any motion to reconsider can be made only by a member voting on the prevailing side.

Motions to Postpone Indefinitely:

A motion to postpone indefinitely, having been decided in the negative, shall not be allowed again on the same day, or at the same stage of the bill or proposition. (House Rule 47.)

When indefinitely postponed, a bill, memorial

or resolution shall not be acted upon again during session. (House Rule 47.)

A motion to indefinitely postpone may be made at any stage of the bill except when on first reading. (House Rule 47.)

\* \* \*

In case of an equal division, the question shall be lost. (House Rule 69.)

When once begun, the roll call may not be interrupted. (House Rule 42.)

One-sixth of members present (seventeen members) may demand a Call of the House. (House Rule 71.)

One-sixth of members present (seventeen members) may demand a roll call. (State Constitution.)

When a roll call is required or has been demanded, Rules 64, 65, and 66 apply.

Two-thirds of members present may temporarily suspend a rule of order. (House Rule 85.)

### Decorum of Members

A member shall rise (from his own seat) when about to make a motion or to speak in debate. Address "Mr. Speaker" and wait until recognized. When given the floor, he shall make his motion, or, if speaking in debate, he shall confine his remarks to the question before the house. He must avoid personalities. (House Rule 49.)

A member called to order shall immediately sit, unless allowed to explain. If no appeal, the decision of the chair is final. If appealed, the house will decide **without** debate. (House Rule 53.)

See "Exception to words spoken in debate." (House Rule 52.)

When two or more members arise at once, the speaker shall name the one who is to speak. (House Rule 50.)

No member shall speak more than twice on the same question without leave of the house, except chairman of the committee, or mover of the question, who may close debate: *Provided*, That no member shall speak longer than ten

minutes without consent of the house. (House Rule 51.)

After 50th day, no member shall speak more than once except as above, nor longer than three minutes. (House Rule 51.)

While speaker is putting question, no member shall walk across or out of the house. (House Rule 62.)

While member is speaking, no other member shall entertain private discourse, or pass between speaking member and the chair. (House Rule 62.)

**Every member** who shall be in the house when the question is put shall give his vote, unless for **special** reasons the house shall excuse him. (House Rule 64.)

No member shall absent himself from service of the house, except with leave from the speaker, or on account of sickness. (House Rule 16.)

A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. (State Constitution.) (House Rule 66.)

No member shall be allowed to change his vote after the result has been announced. (House Rule 66.)

No member shall be allowed to vote if he is not within the bar of the house before last name is called, except with unanimous consent of the house. (House Rule 66.)

No member of the legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate. (State Constitution.)

Any standing rule of order, or business, may be temporarily suspended by a two-thirds vote of members present. (House Rule 85.)

The decision of the speaker may be appealed from by any member, on which appeal no member shall speak more than once \* \* \* \*  
(House Rule 77.)

Appeals from the decision of the speaker in calling a member to order are not debatable. (House Rule 53.)

**Motions From the Floor**

(Correct Form)

A member must rise (from his own seat) when about to make a motion or to speak in debate. Address "Mr. Speaker" and pause until recognized by the speaker. Parliamentary practice DOES NOT permit a member the right to make a motion, or to speak, until given the floor by the presiding officer. Therefore, a motion is not in possession of the house and cannot be acted upon unless the maker has been recognized.

The following are examples of the proper form of motions and inquiries from the floor:

**To Dispense With the Reading of the Journal**

Mr. Speaker: \* \* \* \* I move that further reading of the journal be dispensed with, and that the journal of the preceding day's business be ordered approved.

**To Adopt a Floor Resolution**

Mr. Speaker: \* \* \* \* I move that the resolution be adopted.

**Personal Privilege**

Mr. Speaker: \* \* \* \* I rise to a question of personal privilege.

**Point of Order**

Mr. Speaker: \* \* \* \* I rise to a point of order.

**Question of Consideration**

Mr. Speaker: \* \* \* \* On that (motion, bill, resolution or amendment) I raise the question of consideration.

(This question is not debatable. Sec. 110—Reed's.)

**Parliamentary Inquiry**

Mr. Speaker: \* \* \* \* I rise to a parliamentary inquiry. (What is the rule that governs this situation? What is the order of business? Under what order of business may I make a motion? Is the gentleman from .....

speaking on the motion before the house? (or) Are the remarks of the gentleman germane to the motion before the house? etc.; etc.)

### **Point of Information**

Mr. Speaker: \* \* \* \* I rise to a point of information. (What are we voting upon? What is the motion before the house? etc., etc.)

### **To Ask a Member a Question**

Mr. Speaker: \* \* \* \* Will the gentleman from ..... yield to a question?

### **To Divide the Question**

Mr. Speaker: \* \* \* \* I move that the question be divided: (i.e., that the authorization of the special committee be acted upon first, and that the expenditures authorized be acted upon secondly.)

### **To Adopt a Committee Report**

Mr. Speaker: \* \* \* \* I move that the report of the committee on ....., on House Bill No....., be adopted.

### **To Order the Previous Question**

Mr. Speaker: \* \* \* \* I move that the previous question be ordered. (This motion is not debatable.) (A two-thirds vote of members present is required to order the previous question.) (House Rule 55.)

### **To Demand a Roll Call on Any Motion**

Mr. Speaker: \* \* \* \* I demand a roll call on the motion. (The speaker will then ask if the demand is sustained, and if one-sixth of the members present rise, the demand will have been sustained, and the speaker will order the clerk to call the roll on the motion.)

### **To Indefinitely Postpone**

Mr. Speaker: \* \* \* \* I move that House Bill No. .... be indefinitely postponed. (This motion opens the whole question to debate, and the motion is decided on a voice vote, unless one-sixth of the members **present** de-

mand a roll call. (State Constitution.) Once a bill, memorial, joint or concurrent resolution has been indefinitely postponed, it can never again be acted upon during the session. (House Rule 47.)

### **To Lay On the Table**

Mr. Speaker: \* \* \* \* I move that (the motion, the bill, the amendment) be laid on the table.

(This motion is not debatable. However, when a bill or proposition is laid on the table the matter is only temporarily disposed of, and under the proper order of business, a motion to take from the table may be made at any time.)

A motion to lay an amendment on the table shall not carry the main question with it unless so specified in the motion to table. (House Rule 47.)

### **To Change the Order of Business**

Mr. Speaker: \* \* \* \* I move that the house revert to the eighth order of business for the purpose of making a motion. (or) I move that the house revert to the fifth order of business for the purpose of receiving a standing committee report. (or) I move that the house advance to the sixth order of business to consider the calendar of the day.

(These motions are **not** a suspension of the rules, but merely a change in the order of one rule. Therefore, a majority vote of those present will carry the motion. Sec. 259—Reed's.)

### **To Appeal From a Decision of the Speaker**

Mr. Speaker: \* \* \* \* I appeal from the decision of the speaker. (All appeals are debatable, **EXCEPT** an appeal after a member is called to order, which is decided without debate.)

### **To Demand a Call of the House**

Mr. Speaker: \* \* \* \* I demand a call of the house. (The speaker will then ask if the demand is sustained. If one-sixth of the members present rise, the demand is sustained and the speaker will order the sergeant at arms to

lock the doors. The clerk will call the roll, and the sergeant at arms will be instructed to bring in the absent members.)

### **To Proceed With Business Under the Call**

Mr. Speaker: \* \* \* \* I move that the house proceed with business under the call of the house. (or) I move that the absent members be excused and that the house proceed with business under the call of the house. (or) I move that Mr. .... (or Messrs.) be excused and that the house proceed with business under the call of the house.

### **To Dispense With the Call of the House**

Mr. Speaker: \* \* \* \* I move that further proceedings under the call of the house be dispensed with.

(A motion to recess or to adjourn is never in order when the house is operating under a call of the house.)

### **To Advance a Bill From First Reading**

Mr. Speaker: \* \* \* \* I move that the rules be suspended, that House Bill No. .... (Memorial, Joint or Concurrent Resolution) be advanced to second reading, and read the second time in full.

(A motion to suspend the rules requires a two-thirds vote of those present to carry.)

### **To Advance a Bill From Second Reading**

Mr. Speaker: \* \* \* \* I move that the rules be suspended, that House Bill No. .... be **advanced** to third reading, the second reading considered the third, and that the bill be placed on final passage.

(When this motion is carried, the bill is on final passage and the merits of the bill are open to debate.) (If this motion is not carried, the bill automatically goes to the Rules Committee to be placed on the third reading calendar at a later date.)

(A motion to suspend the rules requires a two-thirds vote of those present to carry.)

### To Adopt an Amendment

Mr. Speaker: \* \* \* \* I move that the amendment be adopted. (or) I move that the amendment to the amendment be adopted. (or) I move that the committee amendment to Section 2, lines 10 and 11, be adopted.

### To Place a Bill on Final Passage When on Third Reading

Mr. Speaker: \* \* \* \* I move that the rules be suspended, that the second reading be considered the third, and that House Bill No. .... be placed on final passage.

(This motion, if carried, merely eliminates the third reading of the bill. If the motion is not carried, the rules provide that the bill must be read the third time in full; and then the bill is automatically on final passage.) (In either case, the merits of the bill are open to debate.)

(A motion to suspend the rules requires a two-thirds vote of those present to carry.)

### To Return a Bill to Second Reading

Mr. Speaker: \* \* \* \* I move that the rules be suspended and that House Bill No. .... be returned to second reading for the purpose of amendment.

(A motion to suspend the rules requires a two-thirds vote of those present to carry.)

### To Pass a Vetoed Bill

Mr. Speaker: \* \* \* \* I move that House Bill No. .... do pass the house, notwithstanding the veto of the governor.

(To pass a bill over the veto of the governor, a two-thirds vote of the members **present** is required.) (State Constitution.)

### To Sustain a Veto

Mr. Speaker: \* \* \* \* I move that vetoed House Bill No. .... be indefinitely postponed (or) be laid on the table (or) be referred to the Committee on .....

# House of Representatives Standing Committees, 1973

Leonard A. Sawyer, Speaker  
Dean R. Foster, Chief Clerk

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**Agriculture (11)**—Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Charette, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

**Commerce (18)**—Wojahn, Chairman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Jueling, Kuehnle, Leckenby, O'Brien, Pardini, Perry, Randall, Williams, Wilson.

**Constitution and Elections (11)**—King, Chairman; Fortson, Vice Chairman; Barden, Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

**Ecology (16)**—Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, Nelson, North (Lois), Pullen, Valle, Wilson, Zimmerman.

**Education (18)**—Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Johnson, Lysen, Polk, Pullen, Smythe, Tilly, Warnke.

**Financial Institutions (15)**—Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Barden, Berentson, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Moon, Pardini, Parker, Van Dyk.

**Higher Education (15)**—Maxie, Chairman; Goltz, Vice Chairman; Anderson, Benitz, Charnley, Erickson, Freeman, King, Knowles, Kraabel, Patterson, Rabel, Valle, Wilson, Wojahn.

**Judiciary (12)**—Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers, Swayze.

**Labor (11)**—Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Cunningham, Freeman, Kopet, Matthews, May, Morrison, Parker.

**Local Government (20)**—Haussler, Chairman; Douthwaite, Subchairman—Cities; Johnson, Subchairman—Special Dist.; Kalich, Subchairman—Counties; Adams, Amen, Blair, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), North (Lois), O'Brien, Paris, Patterson, Sommers, Smythe, Zimmerman.

**Natural Resources (15)**—Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Flanagan, Gilleland, Hansen, Hansey, Haussler, Julin, Kalich, Kilbury, Schumaker, Tilly.

**Parks and Recreation (10)**—Hurley, Chairman; Gaines, Vice Chairman; Ellis, Garrett, Hoggins, Matthews, North (Frances), Paris, Randall, Savage.

**Rules (16)**—Sawyer, Chairman; O'Brien, Vice Chairman; Anderson, Berentson, Charette, Chatalas, Conner, Flanagan, Gallagher, Jastad, Juelling, May, Morrison, Newhouse, Swayze, Thompson.

**Social and Health Services (19)**—Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Jastad, Johnson, Kelley, Matthews, May, Paris, Rabel, Savage, Smythe, Wojahn, Zimmerman.

**State Government (16)**—Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Hurley, Kopet, Lysen, Moon, Perry, Polk, Thompson.

**Transportation and Utilities (26)**—Perry, Chairman; Beck, Subchairman—Highways; Charnley, Subchairman—Public Transportation and Planning; McCormick, Subchairman—Utilities; Amen, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Swayze.

**Ways and Means (43)**—Bagnariol, Chairman.

**Appropriations (25)**—Shinpoch, Chairman; North (Frances), Vice Chairman; Bagnariol, Barden, Bausch, Blair, Brown, Charette, Chatalas, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Juelling, Kopet, Luders, Morrison, North (Lois), Polk, Smith, Thompson, Valle, Van Dyk, Warnke.

**Revenue (19)**—Randall, Chairman; Sommers, Vice Chairman; Bagnariol, Benitz, Bluechel, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Julin, Kilbury, King, Kuehne, Moon, Newhouse, Pardini, Sawyer, Williams.

# Individual Committee Assignments, House of Representatives, 1973

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- ADAMS, A. A.**—Social and Health Services, Chairman; Commerce, Local Government.
- AMEN, OTTO**—Agriculture; Local Government; Transportation and Utilities.
- ANDERSON, ERIC O.**—Higher Education; Natural Resources; Rules.
- BAGNARIOL, JOHN**—Ways and Means, Chairman; Commerce; Financial Institutions.
- BARDEN, PAUL**—Constitution and Elections; Financial Institutions; Ways and Means—Appropriations.
- BAUER, ALBERT**—Education, Chairman; Ecology; State Government.
- BAUSCH, DEL**—Natural Resources, Vice Chairman; Labor; Ways and Means—Appropriations.
- BECK, C. W. "RED"**—Transportation and Utilities, Sub-chairman—Highways; Ecology; Labor.
- BENDER, RICK S.**—State Government, Vice Chairman; Education; Transportation and Utilities.
- BENITZ, MAX**—Agriculture; Higher Education; Ways and Means—Revenue.
- BERENTSON, DUANE**—Financial Institutions; Rules; Transportation and Utilities.
- BLAIR, SCOTT**—Financial Institutions; Local Government; Ways and Means—Appropriations.
- BLUECHEL, ALAN**—Ecology; State Government; Ways and Means—Revenue.
- BROWN, ARTHUR C.**—Constitution and Elections; Education; Ways and Means—Appropriations.
- CECCARELLI, DAVE**—Financial Institutions, Chairman; Commerce; Transportation and Utilities.
- CHARETTE, ROBERT L.**—Agriculture; Rules; Ways and Means—Appropriations.
- CHARNLEY, DONN**—Transportation and Utilities, Sub-chairman—Public Transportation and Planning; Ecology; Higher Education.
- CHATALAS, WILLIAM "BILL"**—Financial Institutions; Rules; Ways and Means—Appropriations.
- CLEMENTE, ART** — Education; Natural Resources; Transportation and Utilities.
- CONNER, PAUL H.**—Constitution and Elections; Natural Resources; Rules.
- CUNNINGHAM, JOHN E. "JACK"**—Labor; Social and Health Services; State Government.

- CURTIS, BOB**—Commerce; State Government; Ways and Means—Appropriations.
- DOUTHWAITE, JEFF**—Local Government, Subchairman—Cities; Ecology; Transportation and Utilities.
- EHLERS, WAYNE**—Education; State Government; Ways and Means—Appropriations.
- EIKENBERRY, KENNETH O.**—Financial Institutions; Judiciary; Ways and Means—Revenue.
- ELLIS, EDWARD G.**—Education, Vice Chairman; Parks and Recreation; Social and Health Services.
- ENG, JOHN**—Constitution and Elections; Education; Social and Health Services.
- ERICKSON, PHYLLIS K.**—Constitution and Elections; Higher Education; Ways and Means—Revenue.
- FLANAGAN, S. E. "SID"**—Natural Resources; Rules; Ways and Means—Revenue.
- FORTSON, ELEANOR A.**—Constitution and Elections, Vice Chairman; Education; Social and Health Services.
- FREEMAN, JR., KEMPER**—Higher Education; Labor; Social and Health Services.
- GAINES, ROBERT E. "BOB"**—Parks and Recreation, Vice Chairman; State Government; Transportation and Utilities.
- GALLAGHER, P. J. "JIM"**—Commerce; Rules; Transportation and Utilities.
- GARRETT, DONALD G.**—Commerce; Parks and Recreation; Transportation and Utilities.
- GASPARD, MARC**—Financial Institutions, Vice Chairman; Judiciary; Ways and Means—Appropriations.
- GILLELAND, JAMES E.**—Commerce; Natural Resources; Transportation and Utilities.
- GOLTZ, H. A. "BARNEY"**—Higher Education, Vice Chairman; Ecology; Ways and Means—Revenue.
- HANSEN, FRANK "TUB"**—Agriculture, Vice Chairman; Natural Resources; Transportation and Utilities.
- HANSEY, DONALD G.** — Agriculture; Natural Resources; Ways and Means—Appropriations.
- HAUSSLER, JOE D.**—Local Government, Chairman; Agriculture; Natural Resources.
- HAYNER, JEANNETTE C.**—Constitution and Elections; Education; Judiciary.
- HENDRICKS, JOHN L.**—Education; Social and Health Services; State Government.
- HOGGINS, DALE**—Education; Parks and Recreation; Ways and Means—Appropriations.

- HURLEY, MARGARET**—Parks and Recreation, Chairman; State Government; Ways and Means—Revenue.
- JASTAD, ELMER**—Commerce, Vice Chairman; Rules; Social and Health Services.
- JOHNSON, DORIS, J.**—Local Government, Subchairman—Special Districts; Education; Social and Health Services.
- JUELING, HELMUT L.**—Commerce; Rules; Ways and Means—Appropriations.
- JULIN, AXEL**—Judiciary; Natural Resources; Ways and Means—Revenue.
- KALICH, HUGH**—Local Government, Subchairman—Counties; Natural Resources; Transportation and Utilities.
- KELLEY, RICHARD J.**—Judiciary, Vice Chairman; Financial Institutions; Social and Health Services.
- KILBURY, CHARLES D.**—Agriculture, Chairman; Natural Resources; Ways and Means—Revenue.
- KING, RICHARD "DICK"**—Constitution and Elections, Chairman; Higher Education; Ways and Means—Revenue.
- KNOWLES, WALT O.**—Judiciary, Chairman; Constitution and Elections; Higher Education.
- KOPET, JERRY C.**—Labor; State Government; Ways and Means—Appropriations.
- KRAABEL, PAUL**—Ecology; Higher Education; Transportation and Utilities.
- KUEHNLE, JAMES P.**—Commerce; Local Government; Ways and Means—Revenue.
- LAUGHLIN, EUGENE L.**—Agriculture; Local Government; Transportation and Utilities.
- LECKENBY, BILL**—Commerce; Financial Institutions; Transportation and Utilities.
- LUDERS, EDWARD T.**—Ecology, Chairman; Financial Institutions; Ways and Means—Appropriations.
- LYSEN, KING**—Education; State Government; Transportation and Utilities.
- MARTINIS, JOHN**—Natural Resources, Chairman; Local Government; Transportation and Utilities.
- MATTHEWS, GARY LEE**—Labor; Parks and Recreation; Social and Health Services.

- MAXIE, PEGGY JOAN**—Higher Education, Chairman; Constitution and Elections; Judiciary.
- MAY, WILLIAM J. S. "BILL"**—Labor; Rules; Social and Health Services.
- MCCORMICK, GERALDINE**—Transportation and Utilities, Subchairman—Utilities; Local Government Ecology.
- MOON, CHARLES**—Financial Institutions; State Government; Ways and Means—Revenue.
- MORRISON, SID W.**—Labor; Rules; Ways and Means—Appropriations.
- NELSON, GARY A.**—Ecology; Local Government; Transportation and Utilities.
- NEWHOUSE, IRVING**—Judiciary; Rules; Ways and Means—Revenue.
- NORTH, FRANCES**—Ways and Means—Appropriations, Vice Chairman; Local Government; Parks and Recreation.
- NORTH, LOIS**—Ecology; Local Government; Ways and Means—Appropriations.
- O'BRIEN, JOHN L.**—Rules, Vice Chairman; Commerce; Local Government.
- PARDINI, A. J. "BUD"**—Commerce; Financial Institutions; Ways and Means—Revenue.
- PARIS, WILLIAM "BILL"**—Local Government; Parks and Recreation; Social and Health Services.
- PARKER, MIKE**—Social and Health Services, Vice Chairman; Financial Institutions; Labor.
- PATTERSON, E. G. "PAT"**—Higher Education; Local Government; Transportation and Utilities.
- PERRY, ROBERT A.**—Transportation and Utilities, Chairman; Commerce; State Government.
- POLK, WILLIAM**—Education; State Government; Ways and Means—Appropriations.
- PULLEN, KENT E.**—Ecology; Education; Transportation and Utilities.
- RABEL, JOHN**—Constitution and Elections; Higher Education; Social and Health Services.
- RANDALL, ROBERT**—Ways and Means—Revenue, Chairman; Commerce; Parks and Recreation.
- SAVAGE, CHARLES R.**—Labor, Chairman; Parks and Recreation; Social and Health Services.

- SAWYER, LEONARD A.**—Rules, Chairman; Ways and Means—Revenue.
- SCHUMAKER, WILLIAM “BILL”**—Agriculture; Natural Resources; Transportation and Utilities.
- SHINPOCH, A. N. “BUD”**—Ways and Means—Appropriations, Chairman; Judiciary.
- SMITH, RICK**—Ecology, Vice Chairman; Judiciary; Ways and Means—Appropriations.
- SMYTHE, DICK**—Education; Local Government; Social and Health Services.
- SOMMERS, HELEN**—Ways and Means—Revenue, Vice Chairman; Judiciary; Local Government.
- SWAYZE, JR., THOMAS A.**—Judiciary; Rules; Transportation and Utilities.
- THOMPSON, ALAN**—Rules; State Government; Ways and Means—Appropriations.
- TILLY, EARL F.**—Agriculture; Education; Natural Resources.
- VALLE, GEORGETTE** — Ecology; Higher Education; Ways and Means—Appropriations.
- VAN DYK, DAN**—Agriculture; Financial Institutions; Ways and Means—Appropriations.
- WARNKE, FRANK J.**— Labor, Vice Chairman; Education; Ways and Means—Appropriations.
- WILLIAMS, AL**—State Government, Chairman; Commerce; Ways and Means—Revenue.
- WILSON, SIMEON R. “SIM”** — Commerce; Ecology; Higher Education.
- WOJAHN, LORRAINE**—Commerce, Chairman; Higher Education; Social and Health Services.
- ZIMMERMAN, HAL**—Ecology; Local Government; Social and Health Services.

## HOUSE ROSTER, 1973 FORTY-THIRD SESSION

LEONARD A. SAWYER, Speaker

DEAN FOSTER, Chief Clerk

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Adams, A. A.	3418 Shorecliff Dr. N.E., Tacoma 98422.	72	Washington ....	Chiropractor ....	27	D	Pierce, part .....	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Amen, Otto...	Rt. 1. Box 45 Ritzville 99169.	60	Washington ....	Farmer, Pharmacist .....	9	R	{ Adams ..... Asotin ..... Garfield ..... Columbia, part .. Grant, part ..... Whitman, part.. }	1967-67 Ex.-69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Anderson, Eric O. ....	627 Grand Ave., Hoquiam 98550	70	New Zealand ...	Retired .....	19	D	{ Pacific ..... Grays Harbor, pt. }	1961-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Bagnariol, John .....	7830 So. 128th, Seattle 98178..	40	Washington ....	Insurance .....	11	D	King, part .....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Barden, Paul..	1112 S. 168th St. Seattle 98148..	36	Washington ....	Banker .....	33	R	King, part .....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Bauer, Albert.	13611 N.E. 20th, Vancouver 98664 .....	44	Montana .....	Teacher .....	49	D	Clark, part .....	1971-71 Ex.-72 Ex.
Bausch, Del...	1359 So. 2nd Ave., Tumwater 98502 .....	37	Washington ....	Longshoreman ..	22	D	Thurston, part ..	None
Beck, C. W. "Red" .....	2400 Beach Dr., Port Orchard 98366 .....	64	Indiana .....	Property Manager .....	26	D	{Kitsap, part ....} {Pierce, part ....}	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Bender, Rick S.....	3511 N.E. 158th Place, Seattle 98155...	23	Alaska .....	Student .....	1	D	{King, part .....} {Snohomish, part.}	None
Benitz, Max E.....	Rt. 2, Box 181, Prosser 99350..	56	Kansas .....	Agriculture .....	8	R	{Yakima, part ...} {Benton, part ....}	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Berentson, Duane L.....	P.O. Box 426, Burlington 98233 .....	44	Washington ....	Broker, Dealer in Securities ....	40	R	{San Juan ..... Skagit ..... Whatcom, part..}	1963-63 Ex. 65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Blair, Scott...	8712 25th N.E., Seattle 98115 ...	42	Washington ....	Mechanical Engineer .....	46	R	King, part .....	1971-71 Ex.-72 Ex.
Bluechel, Alan .....	12534 68th Ave. N.E., Kirk- land 98033 .....	48	Alberta, Canada	President, Loctwall Corporation ....	45	R	King, part .....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Brown, Arthur C.....	16020 Densmore N., Seattle 98133 .....	51	Georgia .....	Systems Analyst.	1	R	{King, part ..... Snohomish, part.}	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Ceccarelli Dave .....	P.O. Box 6591, Seattle 98116 ..	39	Washington ....	Real Estate .....	34	D	King, part .....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Charette, Robert L.....	P.O. Box 63, Aberdeen 98520 .....	49	Washington ....	Attorney .....	19	D	{Pacific ..... Grays Harbor, pt.}	Senate 1963-63 Ex.-65- 65 Ex. House 1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Charnley, Donn .....	19344 11th Ave. N.W., Seattle 98177 .....	44	Michigan .....	Professor .....	44	D	King, part .....	1971-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Chatalas, William "Bill" .....	4805 42nd So., Seattle 98118...	65	Turkey .....	Real Estate Broker and Business Consultant .....	35	D	King, part .....	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Clemente, Art .....	420 240th S.E., Bothell 98011..	47	Washington ....	Cement Mason...	39	D	{King, part .....} {Snohomish, part.}	None
Conner, Paul H.....	Rt. 4, Box 355, Sequim 98382..	47	Washington ....	Real Estate, Logger .....	24	D	{Clallam .....} {Mason .....} {Jefferson .....} {Thurson, part ..}	1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Cunningham, John E. "Jack" .....	P.O. Drawer 89307, Zenith 98188...	41	Illinois .....	Manufacturer ...	33	R	King, part .....	None
Curtis, Robert "Bob" .....	P.O. Box 0188, East Wenatchee 98801 .....	39	Washington ....	Owner/Mgr. Curtis Thriftway Supermarket ...	12	R	{Chelan .....} {Douglas .....} {Grant, part .....} {Okanogan, part..}	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Douthwaite, Jeff .....	5518 31st N.E., Seattle 98105...	43	Canada .....	Professor .....	43	D	King, part .....	1971-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Ehlers, Wayne .....	170 Tule Lake Rd., E., Parkland 98445	34	Washington ....	Educator .....	2	D	{Pierce, part .....	None
	Suite 500, 3rd and Lenora Bldg., Seattle 98121						{Thurston, part ..}	
Eikenberry, Kenneth O...	304 N. 61st Ave., Yakima 98902	40	Washington ....	Attorney .....	36	R	King, part .....	1971-71 Ex.-72 Ex.
Ellis, Edward G....	2805 S. Byron St., Seattle 98144 .....	30	Washington ....	Student .....	14	D	Yakima, part ....	None
Eng, John ....	P.O. Box 44443, Parkland 98444	49	Texas .....	Homemaker .....	2	D	{Pierce, part .....	None
Erickson, Phyllis K....							{Thurston, part ..}	
Flanagan, S. E. "Sid"..	Rt. 1, Box 205, Quincy 98848	63	Washington ....	Farmer, Cattleman .....	13	R	{Kittitas .....	1961-61 Ex.-63-63 Ex.-
	4008 S. West Camano Drive, Camano Is. 98292 .....	65	Washington ....	Homemaker .....	10	D	{Grant, part .....	65-65-Ex.-67-67 Ex.-
							{Yakima, part ...}	69-69 Ex.-70 Ex.-
Fortson, Eleanor A....							{Island .....	71-71 Ex.-72 Ex.
							{Snohomish, part.}	None

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Freeman, Jr., Kemper .....	P.O. Box 1012 Bellevue 98009.	31	Washington ....	Shopping Center Leasing .....	48	R	King, part .....	None
Gaines, Robert E. "Bob" .....	24 B St. N.E., Auburn 98002..	49	Montana .....	Mgr. Auburn Chamber of Commerce .....	30	D	King, part .....	None 1961-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Gallagher, P. J. "Jim".	125 S. 72nd, Tacoma 98408.	57	Washington ....	Public Relations.	29	D	Pierce, part .....	1972 Ex.
Garrett, Donald G.....	Rt. 8, Box 750, Yakima 98902..	47	Oregon .....	Real Estate.....	14	R	Yakima, part ....	1972 Ex.
Gaspard, Marc .....	P.O. Box 295, Puyallup 98371	24	Washington ....	Student .....	25	D	{King, part .....	None
Gilleland, James E. ....	3234 Hunts Point Rd., Bellevue 98004 .....	55	Washington ....	Owner-Pres., Gilleland Oil Co.	48	R	King, part .....	1971-71 Ex.-72 Ex.
Goltz, H. A. "Barney" ....	3003 Vallette, Bellingham 98225 .....	48	Minnesota .....	College Administrator ..	42	D	Whatcom, part ..	None

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Hansen, Frank "Tub" .....	9018A McConnell Dr., Moses Lake 98837 .....	58	Washington ....	Rancher .....	13	D	{ Kittitas ..... Grant, part ..... Yakima, part ... }	None
Hansey, Donald G. ...	1551 Lakewood Lane, Bellingham 98225 .....	43	Washington ....	Poultry, Hatcheryman ..	40	R	Whatcom .....	1971-71 Ex.-72 Ex.
Haussler, Joe D.....	Box 949, Omak 98841 ...	70	Texas .....	Orchardist .....	7	D	{ Ferry ..... Lincoln ..... Pend Oreille .... Stevens ..... Okanogan, part.. Spokane, part ... }	1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Hayner, Jeannette C..	830 E. Chestnut, Walla Walla 99362 .....	53	Oregon .....	Homemaker .....	16	R	{ Franklin ..... Walla Walla .... Columbia, part.. }	None
Hendricks, John L.....	1923 Water St., Olympia 98501.	59	Washington ....	Pharmacist .....	22	R	Thurston, part ...	None
Hoggins, Dale E.....	21826 95th Ave W., Edmonds 98020 .....	40	Washington ....	Elementary Principal .....	21	R	Snohomish, part..	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Hurley, Margaret ....	730 E. Boone Ave. Spokane 99202.		Minnesota .....	School Teacher...	3	D	Spokane, part ....	1953-53 Ex.-55-55 Ex.-57-59-59 Ex.-61- 61 Ex.-63-63 Ex.-65- 65-Ex. 67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Jastad, Elmer .....	Box 67, Morton 98356..	66	Washington ....	Pharmacist .....	20	D	Spokane, part .... { Lewis .....	1965-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
	737 Tacoma Pl., Kennewick						{ Wahkiakum .....	
Johnson, Doris J.....	99336 .....	49	Washington ....	Educator .....	8	D	{ Cowlitz, part .... { Pacific, part .... { Thurston, part ...}	1965-65 Ex.-67-67 Ex.-71-71 Ex.-72 Ex.
Jueling, Helmut L....	5215 South Tacoma Way, Tacoma 98409 .	59	Nebraska .....	Owner, White Hand Linen Supply .....	28	R	Pierce, part .....	1961-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Julin, Axel C.....	4615 Lake Washington Blvd. S.E., Bellevue 98006.	54	Idaho .....	Lawyer .....	41	R	King, part .....	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Kalich, Hugh.	P.O. Box 278, Toledo 98591....	51	Washington ....	Real Estate .....	20	D	{ Lewis ..... Wahkiakum ..... Cowlitz, part .... Pacific, part .... Thurston, part .. }	1965-65 Ex.-67-67 Ex.-69-69 Ex.- 70 Ex
Kelley, Richard J. ...	P.O. Box 3302, Tacoma 98499..	27	Washington ....	Attorney .....	28	D	Pierce, part .....	None
Kilbury, Charles D.....	P.O. Box 2482, Pasco 99302 ...	53	Washington ....	Insurance Broker	16	D	{ Franklin ..... Walla Walla ..... Columbia, part .. }	1971-71 Ex.-72 Ex. 1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
King, Richard A....	309 77th Pl. S.W., Everett 98201..	38	Washington ....	College Teacher..	38	D	Snohomish, part..	1965-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Knowles, Walt O.....	E. 8423 Liberty, Spokane 99206.	56	Washington ....	Attorney .....	4	D	{ Spokane, part ... Whitman, part .. }	1971-71 Ex.-72 Ex.
Kopet Jerry C.....	1728 S. Lincoln St., Spokane 99203 .....	61	Oregon .....	Pharmacist .....	6	R	Spokane, part ...	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Kraabel, Paul B.....	7728 29th N.E., Seattle 98115...	39	Washington ....	Electronic Engineer .....	46	R	King, part .....	1971-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Kuehnle, James P.....	S. 1122 Skyline Pl., Spokane 99206 .....	48	Iowa .....	Real Estate .....	4	R	{Spokane, part .. Whitman, part ..}	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Laughlin, Eugene L.....	P.O. Box 534, Camas 98607... 9105 Fauntleroy	34	Illinois .....	Teacher .....	17	D	{Klickitat .....	None
Leckenby, Bill .....	Way, S.W., Seattle 98136 ..	62	Washington ....	Chrmn. Leckenby Co. ...	34	R	King, part .....	1967-67 Ex.-69-69 Ex. -70 Ex.
Luders, Edward T....	N. 5620 Moore, Spokane 99208. 12844 Shorecrest	44	Washington ....	Teacher .....	5	D	Spokane, part ...	1967-67 Ex.-69-69 Ex.-70 Ex.
Lysen, King .....	Dr. S.W., Seattle 98146... 30	30	Minnesota .....	Program Coordinator Seattle Youth Div. ....	31	D	King, part .....	1971-71 Ex.-72 Ex.
Martinis, John .....	2304 8th St., Everett 98201.. 42	42	Washington ....	Retail Merchant..	38	D	Snohomish, part..	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Matthews, Gary Lee.....	14157 123rd Ave., N.E., Kirkland 98033 .....	28	Washington ....	Health Care Admin. ....	45	R	King, part .....	None
Maxie, Peggy Joan..	3302 E. Pine, Seattle 98122.. 36	36	Texas .....	Student/Family Counselor .....	37	D	King, part .....	1971-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
May, William J. S. "Bill" ..	W. 711 Waverly Place, Spokane 99205 .....	70	England .....	Executive Secre- tary, Labor Council .....	3	D	Spokane, part ...	1961-61 Ex.-63-63 Ex.- 65-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
McCormick, Geraldine ....	W. 1829 North- ridge Ct., Apt. #4, Spokane 99208 .....		Washington ....	Homemaker .....	5	D	Spokane, part ...	69-69-Ex.-70 Ex. 1963-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Moon, Charles .....	Rt. 2, Box 427A, Snohomish 98290 .....	49	Wyoming .....	Veterinarian ....	39	D	{King, part .....	{Ex.-70 Ex.-71-71 Ex.-72 Ex.
Morrison, Sid W. ....	Rt. 1, Box 220AA, Zillah 98953...	39	Washington ....	Fruit Grower ....	15	R	Yakima, part ....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Nelson, Gary A. ....	18423 High St., Edmonds 98020	36	Washington ....	Engr. Supr. Technical Ed. ..	21	R	Snohomish, part..	None
Newhouse, Irving .....	Rt. 1, Box 130, Mabton 98935.	52	Washington ....	Farming, Cattle Feeding .....	15	R	Yakima, part ....	1965-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
North, Frances .....	Box 441, North Bend 98045 .....	53	Washington ....	Teacher & Realtor .....	47	D	King, part .....	None
North, Lois...	10126 Radford Ave. N.W., Seattle 98177....		California .....	Homemaker .....	44	R	King, part .....	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
O'Brien, John L.....	1305 Joseph Vance Bldg., Seattle 98101..	61	Washington ....	Certified Public Accountant .....	35	D	King, part .....	1941-43-44 Ex.-45-49- 50 Ex.-51-51 Ex.-51 2nd Ex.-53-53 Ex.- 55-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65-Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Pardini, A. J. ....	E. 1625 20th, Spokane 99203.	40	Pennsylvania ...	Bank Executive..	6	R	Spokane, part ...	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Paris, William .....	620 Oregon Way, Longview 98632 .....	45	Oklahoma .....	Minister .....	18	R	{Cowlitz, part ....} {Clark, part .....	1971-71 Ex.-72 Ex.
Parker, Mike .....	5434 So. I, Tacoma 98408.	25	Washington ....	Medical Service Rep. ....	29	D	Pierce, part .....	None

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Patterson, E. G. "Pat" ..	N.E. 400 Campus, Pullman 99163.	53	Washington ....	Director Alumni Relations .....	9	R	<div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Adams .....</div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Asotin .....</div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Garfield .....</div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Columbia, part ..</div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Grant, part .....</div> <div style="border-left: 1px solid black; border-right: 1px solid black; padding: 2px;">                     Whitman, part ..</div>	None
Perry, Robert A.....	1154 N. 92nd St., Seattle 98103 .....	51	New York.....	Electrical Construction ...	32	D	King, part .....	1959-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Polk, William M. ..	7220 92nd S.E., Mercer Island 98040 .....	37	Texas .....	Architect .....	41	R	King, part .....	1971-71 Ex.-72 Ex.
Pullen, Kent E.....	22844 172nd Ave. S.E., Kent 98031 ....	30	Texas .....	Chemist .....	47	R	King, part .....	None
Rabel, John B.....	241 So. Lander, Seattle 98134...	31	Washington ....	Machinery Distribution ....	43	R	King, part .....	1971-71 Ex.-72 Ex.
Randall, Dr. Robert W.	3040 Marine Dr., Bremerton 98313 .....	51	Illinois .....	Optometrist .....	23	D	Kitsap, part .....	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Savage, Charles R.....	2011 King St., Shelton 98584...	66	Wisconsin .....	Logging .....	24	D	{ Clallam ..... Mason ..... Jefferson ..... Thurston, part .. }	1939-41-43-44 Ex.-51- 51 Ex.-51 2nd Ex.- 53-53 Ex.-55-55 Ex.- 57-63-63 Ex.-65-65 Ex.-69-69-Ex.-70 Ex.-71-71 Ex.-72 Ex.
Sawyer, Leonard A....	2723 E. Main, Puyallup 98371	47	Washington ....	Attorney .....	25	D	{ King, part ..... Pierce, part ..... Ferry ..... Lincoln ..... Pend Oreille .... Stevens ..... Okanogan, part.. Spokane, part ... }	1955-55 Ex.-57-59-59 Ex.-61-61 Ex.-63-63 Ex.-65-65 Ex.-67-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.
Schumaker, William "Bill" .....	208 West 5th, Colville 99114..	57	Washington ....	Sporting Goods ..	7	R	{ Spokane, part ... }	1969-69 Ex.-70 Ex.- -71-71 Ex.-72 Ex.
Shinpoch, A. N. "Bud".	361 Maple Ave. N.W., Renton 98055..	48	Oklahoma .....	Industrial Engineer .....	11	D	King, part .....	1970 Ex.-71-71 Ex.- 72 Ex.

## HOUSE ROSTER, 1973 SESSION--Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Smith, Rick...	Rt. 4, Box 951F, Bremerton 98310 .....	31	Oregon .....	Attorney .....	23	D	Kitsap, part .....	None 1967-67 Ex.-69-69
Smythe, Richard L....	5204 DuBois Drive, Van- couver 98661...	46	Washington ....	Manager, Pacific N.W. Bell .....	49	R	Clark, part .....	Ex.-70 Ex.-71-71 Ex.-72 Ex.
Sommers, Helen .....	2516 14th W. Seattle 98119 ..	40	New Jersey.....	Economist .....	36	D	King, part .....	None 1967-67 Ex.-69-69
Swayze, Jr., Thomas A....	4107 10th St. N.W., Gig Harbor 98335..	41	Washington ....	Attorney .....	26	R	{Kitsap, part ....} {Pierce, part ....}	Ex.-70 Ex.-71-71 Ex.-72 Ex.
Thompson, Alan .....	112 Pleasant Hill Lane, Kelso 98626 ...	45	Iowa .....	Publisher .....	18	D	{Cowlitz, part ....} {Clark, part ....}	1965-65 Ex.-67-67 Ex.- 69-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Tilly, Earl F. .	1509 Jefferson St., Wenatchee 98301 .....	38	Oregon .....	Mgr. Tilly Equipment .....	12	R	{Chelan .....	None
Valle, Georgette ...	1434 S.W. 137th, Seattle 98166...	48	Minnesota .....	Homemaker .....	31	D	{Douglas .....	1965-65 Ex.
							{Grant, part ....}	
							{Okanogan, part..}	

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Member	Mailing Address	Age	Birthplace	Occupation	District	Politics	County	Previous Legislative Sessions Served
Van Dyk, Dan .....	7585 Noon Rd., Lynden 98264..	29	Washington ....	Owner/Operator Vandy Farm ...	42	D	Whatcom, part ..	1971-71 Ex.-72 Ex.
Warnke, Frank J.....	2723 E. Main, Puyallup 98371.	39	Montana .....	Exec. Dir. Public School Emp. ....	30	D	King, part .....	1965-65 Ex.
Williams, Alvin C.....	6501 Phinney North, Seattle 98103 .....	42	North Dakota...	Architect .....	32	D	King, part .....	1970 Ex.-71-71 Ex.- 72 Ex.
Wilson, Simeon R. "Sim" .....	P.O. Box 145, Marysville 98270 .....	45	Oregon .....	Newspaper Publisher .....	10	R	{Island .....	{Snohomish, part.} None
Wojahn, Lorraine ....	3592 E. Kay St., Tacoma 98404..	52	Washington ....	Public Relations..	27	D	Pierce, part .....	1969-69 Ex.-70 Ex.- 71-71 Ex.-72 Ex.
Zimmerman, Harold S. ....	1432 N.E. 6th Ave., Camas 98607 .....	49	North Dakota...	Newspaper Editor- Publisher .....	17	R	{Klickitat .....	{Skamania .....
							{Clark, part .....	1967-67 Ex.-69-69 Ex.-70 Ex.-71-71 Ex.-72 Ex.

## HOUSE ROSTER, 1973 SESSION—Continued

Name of Elected Officer	Title	Residence	County	Birthplace	Age	Occupation	Previous Legislative Sessions Served
Foster, Dean R.....	Chief Clerk.....	1908 S. Washington Olympia 98501.....	Thurston ..	Washington ..	31	Research Analyst .....	None Senate 1959-1970
Wilson, Donald R.....	Assistant Chief Clerk ....	Rt. 3, Box 271 Olympia 98501.....	Thurston ..	Washington ..	51	Locomotive Engineer .....	House 1970-1973
Olsen, Ray L..	Sergeant at Arms .....	4212 E. Edgewater, Apt. 442 Seattle 98112 ....	King .....	Oregon .....	67	Retired .....	House (as Member) 1951-1967

# Congressional and State Officials

## CONGRESSIONAL

### United States Senators

Senator Warren G. Magnuson—D (Seattle)  
127 Old Senate Office Building  
(Term expires January, 1975)

Senator Henry M. Jackson—D (Everett)  
137 Old Senate Office Building  
(Term expires January, 1977)

(Above addresses are Washington, D.C. 20510)

### United States Representatives

(2 year terms—all expire Jan. 1975)

1st District—Joel Pritchard—R (Seattle)  
1039 Longworth House Office Building

2nd District—Lloyd Meeds—D (Everett)  
308 Cannon House Office Building

3rd District—Julia Butler Hansen—D (Cathlamet)  
201 Cannon House Office Building

4th District—Mike McCormack—D (Richland)  
1205 Longworth House Office Building

5th District—Thomas S. Foley—D (Spokane)  
325 Cannon House Office Building

6th District—Floyd V. Hicks—D (Tacoma)  
1203 Longworth House Office Building

7th District—Brock Adams—D (Seattle)  
123 Cannon House Office Building

(Above addresses are Washington, D.C. 20515)

### Executive Department

Governor, Daniel J. Evans (R)

Lieutenant Governor, John A. Cherberg (D)

### Executive Department Aides

Executive Assistant to Governor, Mrs. Esther Seering

Secretary to Governor, Mrs. Claudia Childs

Administrative Assistant to Governor, James M. Dolliver

Legal Administrative Assistant to Governor, Richard W. Hemstad

### State Attorney General

Attorney General, Slade Gorton (R)

### State Auditor

Auditor, Robert V. (Bob) Graham (D)

Assistant Auditor, Richard L. Husk

### Insurance Commissioner

Commissioner, Karl Herrmann (D)

Chief Deputy, Orman Vertrees

**Superintendent of Public Instruction**

Superintendent, Dr. Frank B. Brouillet (Nonpartisan)  
Deputy Superintendent, Dr. C. Robert Marshall  
Administrative Assistant, Ralph E. Julnes  
Administrative Assistant, Dr. Wes Apker

**Board of Education**

President, Dr. Frank B. Brouillet  
Secretary, Vern V. Leidle

**Commissioner of Public Lands**

Commissioner, Bert Cole (D)  
Executive Assistant, Bruce W. Reeves

**Secretary of State**

Secretary, A. Ludlow Kramer (R)  
Assistant Secretary, Sam S. Reed  
Supervisor of Elections, Kenneth N. Gilbert

**State Treasurer**

Treasurer, Robert S. O'Brien (D)  
Assistant Treasurer, Jack Taylor

**STATE LEGISLATURE****State Senate**

Lieutenant Governor, John A. Cherberg, Seattle  
President Pro Tempore, Al Henry, White Salmon  
Vice President Pro Tempore, James E. Keefe, Spokane  
Secretary, Sid Snyder, Long Beach  
Assistant Secretary, William M. Gleason, Tacoma  
Sergeant at Arms, Charlie Johnson, Olympia

**House of Representatives**

Speaker, Leonard A. Sawyer, Puyallup  
Speaker Pro Tempore, John L. O'Brien, Seattle  
Chief Clerk, Dean R. Foster, Olympia  
Assistant Chief Clerk, Donald R. Wilson, Olympia  
Sergeant at Arms, Ray L. Olsen

# NONPARTISAN JUDICIARY

## SUPREME COURT

<i>Justices</i>	<i>Term Expires</i>
Chief Justice Frank Hale.....	January, 1975
Justice Robert C. Finley.....	January, 1975
Justice Robert F. Utter.....	January, 1975
Justice Robert T. Hunter.....	January, 1977
Justice Charles F. Stafford.....	January, 1977
*Justice Robert F. Brachtenbach.....	January, 1977
Justice Orris L. Hamilton.....	January, 1979
Justice Hugh J. Rosellini.....	January, 1979
Justice Charles T. Wright.....	January, 1979
Clerk, William M. Lowry	
Bailiff, David Webster	
Administrator for the Courts, Phillip P. Winberry	

\*Holds office by appointment. Position to be voted upon in 1974 for a two-year unexpired term.

## COURT OF APPEALS

### DIVISION ONE

<i>Judges</i>	<i>Judicial Districts (Counties)</i>	<i>Term Expires</i>
Chief Judge		
Herbert A. Swanson....#2	Snohomish	January, 1975
Acting Chief Judge		
Keith M. Callow.....#1	King	January, 1975
Judge Frank D. James...#1	King	January, 1978
Judge Ward Williams ....#3	{ Island- San Juan Skagit- Whatcom	January, 1977
Judge Charles Horowitz...#1	King	January, 1979
Judge J. Jerome Farris...#1	King	January, 1979

### DIVISION TWO

<i>Judges</i>	<i>Judicial Districts (Counties)</i>	<i>Term Expires</i>
Chief Judge		
Vernon R. Pearson.....#1	Pierce	January, 1975
Judge Ralph Armstrong...#3	{ Clark- Cowlitz- Lewis- Pacific- Skamania- Wahkiakum	January, 1977
Judge Harold J. Petrie...#2	{ Clallam- Grays Harbor- Jefferson- Kitsap- Mason- Thurston	January, 1977

## DIVISION THREE

<i>Judges</i>	<i>Judicial Districts</i>	<i>Term Expires</i>
	(Counties)	
Chief Judge Dale M. Green .....	#2 { Adams- Asotin- Benton- Columbia- Franklin- Garfield- Grant- Walla Walla- Whitman	January, 1975
Judge James M. McInturff #1	{ Ferry- Lincoln- Okanogan- Pend Oreille- Spokane- Stevens	January, 1977
Judge Ray E. Munson....	#3 { Chelan- Douglas- Kittitas- Klickitat- Yakima	January, 1979

## SUPERIOR COURT JUDGES

<i>Judge</i>	<i>County Seat</i>	<i>Judicial District</i>
		(Counties)
Gordon Swyter .....	Ritzville .....	Adams
Patrick McCabe .....	Pomeroy .....	{ Asotin- Columbia- Garfield
James J. Lawless.....	} Pasco .....	{ Benton- Franklin
Richard G. Patrick .....		
Albert Yencopal .....		
Lawrence Leahy .....	Wenatchee ...	Chelan
Gerald B. Chamberlin....	Port Angeles .	{ Clallam- Jefferson
J. Guthrie Langsdorf....	} Vancouver ...	Clark
Robert D. McMullen ....		
Edward P. Reed.....		
John N. Skimas.....		
Alan R. Hallowell.....	} Kelso .....	Cowlitz
Frank L. Price.....		
B. J. McLean.....	} Ephrata .....	{ Douglas- Grant
Felix Rea .....		
B. E. Kohls.....	Okanogan ....	{ Ferry Okanogan
John H. Kirkwood.....	} Montesano ...	Grays Harbor
John W. Schumacher...		
Howard A. Patrick.....	Coupeville ...	{ Island- San Juan

Judge	County Seat	Judicial District (Counties)		
Norman B. Ackley.....	Seattle	King		
Lloyd W. Bever.....				
Warren Chan .....				
Cornelius C. Chavelle...				
James J. Dore.....				
Robert M. Elston.....				
William C. Goodloe.....				
Edward E. Henry.....				
Nancy A. Holman.....				
Erle W. Horswill.....				
Frank Howard .....				
David C. Hunter.....				
Jerome M. Johnson.....				
James W. Mifflin.....				
Janice Niemi .....				
James A. Noe.....				
George H. Revelle.....				
Solie M. Ringold.....			Port Orchard	Kitsap
Frank H. Roberts, Jr....				
Ward Roney .....				
Horton Smith .....				
Stanley C. Soderland...				
David W. Soukup.....				
Peter K. Steere.....				
Howard J. Thompson...				
Theodore S. Turner.....				
Robert J. Bryan.....				
Jay W. Hamilton.....				
Oluf Johnsen .....				
W. R. Cole.....	Ellensburg	Kittitas		
Ted Kolbaba .....	Goldendale	{ Klickitat- Skamania		
D. J. Cunningham.....	Chehalis	Lewis		
Richard J. Ennis.....	Davenport	Lincoln		
Frank E. Baker.....	Olympia	{ Mason- Thurston		
Robert J. Doran.....				
Hewitt A. Henry.....				
Robert A. Hannan.....	South Bend	{ Pacific- Wahkiakum		
Sidney R. Buckley.....	Colville	{ Pend Oreille- Stevens		
William L. Brown, Jr...	Tacoma	Pierce		
John D. Cochran.....				
Horace G. Geer.....				
Robert A. Jacques.....				
Bertil E. Johnson.....				
William F. LeVeque.....				
James V. Ramsdell.....				
Hardyn B. Soule.....				
Waldo F. Stone.....				
Stanley W. Worswick...				

<i>Judge</i>	<i>County Seat</i>	<i>Judicial District (Counties)</i>
Walter J. Deierlein, Jr..	Mount Vernon	Skagit
Harry A. Follman.....		
Dennis Britt .....	Everett	Snohomish
Paul D. Hansen.....		
Alfred O. Holte.....		
Daniel T. Kershner.....		
Thomas G. McCrea.....		
Edward M. Nollmeyer..		
Phillip G. Sheridan.....		
Ralph E. Foley.....	Spokane	Spokane
John J. Lally.....		
Donald N. Olson.....		
Willard J. Roe.....		
George T. Shields.....		
Del Cary Smith, Jr.....		
William H. Williams....		
Albert N. Bradford.....	Walla Walla	Walla Walla
John C. Tuttle.....		
Marshall Forrest .....	Bellingham	Whatcom
Byron L. Swedberg.....		
Philip H. Faris.....	Colfax	Whitman
Bruce Hanson .....	Yakima	Yakima
Blaine Hopp, Jr.....		
Carl L. Loy.....		
Walter A. Stauffacher..		

## COUNTY POPULATION STATISTICS

COUNTY	Class	County Seat	U. S. Census		Square Miles
			Population 1960	Population 1970	
Adams .....	5	Ritzville.....	9,929	12,014	1,912
Asotin .....	5	Asotin.....	12,909	13,799	606
Benton .....	3	Prosser.....	62,070	67,540	1,671
Chelan .....	3	Wenatchee.....	40,744	41,355	2,900
Clallam .....	4	Port Angeles.....	30,022	34,770	1,726
Clark .....	1	Vancouver.....	93,809	128,454	634
Columbia .....	7	Dayton.....	4,569	4,439	858
Cowlitz .....	3	Kelso.....	57,801	68,616	1,153
Douglas .....	5	Waterville.....	14,890	17,787	1,787
Ferry .....	8	Republic.....	3,889	3,655	2,220
Franklin .....	4	Pasco.....	23,342	25,816	1,206
Garfield .....	8	Pomeroy.....	2,976	2,911	694
Grant .....	3	Ephrata.....	46,477	41,881	2,720
Grays Harbor .....	3	Montesano.....	54,465	59,553	1,869
Island .....	4	Coupeville.....	19,638	27,011	208
Jefferson .....	6	Port Townsend.....	9,639	10,661	1,805
King .....	AA	Seattle.....	935,014	1,156,633	2,111
Kitsap .....	2	Port Orchard.....	84,176	101,732	371
Kittitas .....	4	Ellensburg.....	20,467	25,039	2,329
Klickitat .....	5	Goldendale.....	13,455	12,138	1,825
Lewis .....	3	Chehalis.....	41,858	45,467	2,369
Lincoln .....	6	Davenport.....	10,919	9,572	2,302
Mason .....	4	Shelton.....	16,251	20,918	930
Okanogan .....	4	Okanogan.....	25,520	25,867	5,221
Pacific .....	5	South Bend.....	14,674	15,796	895

**COUNTY POPULATION STATISTICS—Continued**

COUNTY	Class	County Seat	U. S. Census		Square Miles
			Population 1960	Population 1970	
Pend Oreille .....	7	Newport.....	6,914	6,025	1,361
Pierce .....	A	Tacoma.....	321,590	411,027	1,701
San Juan .....	8	Friday Harbor.....	2,872	3,856	178
Skagit .....	3	Mount Vernon.....	51,350	52,381	1,774
Skamania .....	7	Stevenson.....	5,207	5,845	1,685
Snohomish .....	A	Everett.....	172,199	265,236	2,064
Spokane .....	A	Spokane.....	278,333	287,487	1,756
Stevens .....	5	Colville.....	17,884	17,405	2,505
Thurston .....	2	Olympia.....	55,049	76,894	709
Wahkiakum .....	8	Cathlamet.....	3,426	3,592	267
Walla Walla .....	3	Walla Walla.....	42,195	42,176	1,265
Whatcom .....	2	Bellingham.....	70,317	81,950	2,082
Whitman .....	4	Colfax.....	31,263	37,900	2,108
Yakima.....	1	Yakima.....	145,112	144,971	5,059
Totals.....			2,853,214	3,410,169	66,836

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973**

COUNTY	COUNTY SEAT	ASSESSOR	AUDITOR	CLERK
Adams.....	Ritzville.....	Everett Schaefer (R)	Susie B. Razy (R)	Mildred Womach (R)
Asotin.....	Asotin.....	James W. Roberts (R)	LaDoris Smith (D)	Ople M. Davis (D)
Benton.....	Prosser.....	J. Carroll Pratt (D)	Verner Miller (D)	Laura Bradner (D)
Chelan.....	Wenatchee....	James Sizemore (D)	Earl Miller (R)	Muriel E. Roath (R)
Clallam.....	Port Angeles..	Lester J. Lancaster (D)	Alice C. Thorne (D)	Wilda Doty (R)
Clark.....	Vancouver....	Lester Campbell (D)	Don Bonker (D)	Wilma Schmidt (R)
Columbia....	Dayton.....	William H. Casteel (R)	Vyrl McQuary (R)	Louise Nilsson (R)
Cowlitz.....	Kelso.....	John P. Jenkins (D)	Jack Trent (D)	Mike Nelson (D)
Douglas....	Waterville....	Aileen Dahlke (D)	Edna Jensen (D)	Hilda Gormley (D)
Ferry.....	Republic.....	Thomas L. Moore (D)	Adeline M. Schreiber (D)	Christine Bowlby (D)
Franklin....	Pasco.....	Wilma B. Van Buren (D)	Dorothy Towne (D)	Dorothy Wagar (D)
Garfield....	Pomeroy.....	Floyd Koberstein (D)	John Carlson (D)	Doris Landkammer (R)
Grant.....	Ephrata.....	John O. Kolve (D)	J. F. Peddycord (D)	Allyne Olson (D)
Grays Harbor	Montesano....	D. J. Lindley (D)	Walter J. Meek (R)	Winona Hammon (D)
Island.....	Coupeville....	Roy L. Compton (R)	E. Duane Kemp (R)	Mary Coates (R)
Jefferson....	Port Townsend	Lloyd L. Hansen (D)	Betty J. Temple (R)	Isabel M. Kidd (R)
*King.....	Seattle.....	Harley H. Hoppe (R)	Lloyd F. Hara	*Lee Craft
Kitsap.....	Port Orchard..	F. C. Rutherford (D)	Ted Wright (R)	Robert Freudenstein (D)
Kittitas....	Ellensburg....	Lucille Harris (D)	Marion Darter (D)	Harriett Noble (D)
Klickitat....	Goldendale....	Lowell H. Johnson (R)	Archie C. Radcliffe (R)	Margaret Case (R)

\*Administrative Clerk

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	ASSESSOR	AUDITOR	CLERK
Lewis.....	Chehalis.....	Laurence Scherer (R)	Robert I. Venemon (R)	Margaret Donaldson (D)
Lincoln.....	Davenport.....	Cecil McKinnon (R)	Harold W. Hayme (D)	Louise Heitman (R)
Mason.....	Shelton.....	Willis E. Burnett (D)	Ruth E. Boysen (R)	Thelma E. Province (D)
Okanogan...	Okanogan.....	Bert F. Geiger (D)	Harriet Johnson (D)	Jacqueline L. Bradley (D)
Pacific.....	South Bend...	Art Wood (D)	Verna Jacobson (D)	Beverly Taylor (D)
Pend Oreille.	Newport.....	Genevieve Harmon (D)	Winifred Johnson (D)	Ruth Davis (R)
Pierce.....	Tacoma.....	Ken Johnston (D)	Richard A. Greco (D)	Don Perry (D)
San Juan....	Friday Harbor.	J. Wesley Woodard (R)	Ardiss Larson (R)	Ardiss Larson (R)
Skagit.....	Mt. Vernon....	Gene Olson (D)	Ann Ross (R)	Arthur Eliason (R)
Skamania...	Stevenson....	Annette Hutcheson (D)	G. P. Todd (D)	Greta Satre (R)
Snohomish..	Everett.....	James Haines (D)	Stanley Dubuque (D)	Kay Anderson (D)
Spokane.....	Spokane.....	Ken E. Wynne (D)	Vernon W. Ohland (D)	George E. Fallquist (R)
Stevens.....	Colville.....	Blanche Estep (R)	Bea W. Hesseltine (R)	Goldie Reed (R)
Thurston....	Olympia.....	Del Pettit (D)	C. Wesley Leach (R)	Mark Canterbury (R)
Wahkiakum.	Cathlamet....	Sidney Parker (R)	Mary A. Faymonville (D)	Bethenia Foster (D)
Walla Walla.	Walla Walla...	Bruce N. Cowan (R)	Theodore S. Bjerke (R)	Roberta Lucas (R)
Whatcom....	Bellingham....	Lewis Turner, Jr. (D)	Wella Hansen (R)	Jenna Graham (R)
Whitman....	Colfax.....	Robert D. Repp (R)	Pauline H. Lust (D)	Howard W. Abbott (R)
Yakima.....	Yakima.....	Charles Riemcke (R)	Chet Hatfield (R)	Agnes L. Thomas (R)

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	TREASURER	COMMISSIONER 1ST DISTRICT	COMMISSIONER 2ND DISTRICT	COMMISSIONER 3RD DISTRICT
Adams.....	Ritzville.....	Freda M. Grewell (R)	Ralph H. Danekas (R)	Wendell E. Longmeier (R)	Gordon Hays (D)
Asotin.....	Asotin.....	Lennie Stephens (D)	Tony Weza (D)	Leonard Lahti (D)	Robert A. Shinn (D)
Benton.....	Prosser.....	Ellen Berndt (D)	C. Gordon Nielsen (R)	James O. Zwicker (D)	Wes P. Brown (D)
Chelan.....	Wenatchee.....	Tom E. McKoin (R)	Harry Harn (R)	Fred W. Nierman (R)	David H. Davis (R)
Clallam.....	Port Angeles....	Robert J. Clark (D)	William Knapman (D)	Frank A. Feeley (D)	D. J. Caulkins (D)
Clark.....	Vancouver.....	June Sparks (D)	Edward B. Smith (R)	Dean Cole (D)	Richard A. Granger (R)
Columbia.....	Dayton.....	Jack Kitterman (R)	Vernon Marll (R)	Lawrence Turner (D)	Eugene Robinson (R)
Cowlitz.....	Kelso.....	Gertrude Rivers (R)	James F. Berry (D)	Bernard C. Scheurich (D)	Chet F. Gardner (D)
Douglas.....	Waterville.....	Forrest R. Leedy (D)	Jack Van Well (D)	William E. Bechtol (D)	Lloyd Farmer (R)
Ferry.....	Republic.....	A. Lee Gendron (D)	Melvin H. Lakin (D)	Ira Merritt (D)	William G. Kuehne (R)
Franklin.....	Pasco.....	Vivian B. Hammer (D)	Bruce D. White-marsh (R)	James W. Rogers (D)	Jack Williams (D)
Garfield.....	Pomeroy.....	David A. Taylor, Jr. (D)	John W. Byers (D)	George Ledgerwood (D)	Lester Geiger (D)
Grant.....	Ephrata.....	Margaret Harris (D)	Robert A. Ludolph (D)	H. E. Snead (D)	F. D. O'Donnell (D)

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	TREASURER	COMMISSIONER 1ST DISTRICT	COMMISSIONER 2ND DISTRICT	COMMISSIONER 3RD DISTRICT
Grays Harbor	Montesano	Don F. Smith (D)	Elmer Huhta (D)	John Pearsall (D)	Rolland A. Youmans (D)
Island	Coupeville	Ruth E. Zylstra (R)	Carl L. Mecklenberg (R)	Delmon Anderson (D)	R. W. Christiansen (R)
Jefferson	Port Townsend	Lillian O. Jacobson (R)	A. M. O'Meara (D)	B. G. Brown (D)	Walter A. Kelly (R)
*King	Seattle	Joseph L. McGavick	Tracy J. Owen (R)	Robert B. Dunn (R)	William H. Reams (R)
			Mrs. Bernice Stern (D)	John T. O'Brien (R)	Thomas M. Forsythe (R)
			Ed Munro (D)	Edward Heavey (D)	Dave Mooney (D)
Kitsap	Port Orchard	Bailey Blakemore (R)	Frank Randall (R)	William H. Mahan (D)	Gene Lobe (D)
Kittitas	Ellensburg	Bette J. Spence (D)	Carl M. Ooka (D)	Roy A. Lumaco (R)	Joe McManamy (D)
Klickitat	Goldendale	Pauline Copenhefer (R)	Fred Holly (D)	F. L. Williams (D)	Joe L. Shelton (D)
Lewis	Chehalis	Harold Quick (R)	Hamlet Hilpert (R)	Bob Jacobsen (D)	Clarence Birley (R)
Lincoln	Davenport	"Bill" Livingston (R)	Fred E. Stehr (R)	Loren C. Moos (D)	Gordon G. Kunz (R)
Mason	Shelton	John B. Cole (D)	Martin Auseth (D)	William O. Hunter (R)	John E. Bariekman (D)
Okanogan	Okanogan	Benner Z. Taylor (D)	A. John Carlson (D)	Jack Abrams (D)	Ed Winslow (D)
Pacific	South Bend	Ross Neilson (R)	Bill Crossman (D)	Eldred Pentilla (D)	Don Bale (R)

\*County Council — Districts 1 thru 9

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	TREASURER	COMMISSIONER 1ST DISTRICT	COMMISSIONER 2ND DISTRICT	COMMISSIONER 3RD DISTRICT
Pend Oreille...	Newport.....	Edgar R. Arman (D)	John Krogh (D)	Joseph Berendt (D)	Clifford Bockman (D)
Pierce.....	Tacoma.....	Maurice Raymond (D)	Patrick J. Gallagher (D)	George P. Sheridan (D)	Clay Huntington (D)
San Juan.....	Friday Harbor..	Fred Barnes (R)	Donald C. Whitmill (R)	Linda J. Henry (R)	T. J. Blake (R)
Skagit.....	Mt. Vernon.....	Edward W. Janson (R)	W. H. Sullivan (R)	Jack Wylie (D)	Howard Miller (R)
Skamania.....	Stevenson.....	Mildred O'Donnell (R)	Robert J. Holcomb (D)	Dean O. Evans (D)	Lyle W. Ternahan (D)
Snohomish.....	Everett.....	Vern Sievers (D)	C. Earl Torgeson (D)	N. Richard Forsgren (D)	Charles Hill (D)
Spokane.....	Spokane.....	Merton L. Howard (D)	Rav W. Christensen (D)	W. O. Allen (D)	E. W. Parsons (D)
Stevens.....	Colville.....	Elsie Thayer (D)	O. G. Clemons (D)	Lee L. Strand (D)	Roy B. Richmond (D)
Thurston.....	Olympia.....	George M. Haskett (D)	George F. Yantis, Jr. (D)	Ken Stevens (R)	Homer Hedgepeth (D)
Wahkiakum.....	Cathlamet.....	Myrtle Braaten (D)	William L. Canham (D)	Leon J. Almer (D)	Robert E. Torppa (D)
Walla Walla.....	Walla Walla.....	Harmon F. Johnson (R)	Eugene V. Kelly (D)	James A. Stonecipher (R)	
Whatcom.....	Bellingham.....	Hugh Cory (D)	Larry McIntyre (D)	C. J. Johnson (D)	Frank Roberts (R)
Whitman.....	Colfax.....	Melvin A. Colvin (R)	Ralph S. Henning (R)	Harry Wegner (R)	Fred McNeilly (R)
Yakima.....	Yakima.....	Dale A. Gray (R)	Les Conrad (R)	Lenore M. Lambert (R)	Cliff Onsgard (R)

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	PROSECUTING ATTORNEY	CORONER	SHERIFF	INTERMEDIATE SCHOOL DISTRICT SUPT. (N.P.)
Adams.....	Ritzville.....	Richard W. Miller (R)	Richard W. Miller (R)	Clinton Rowe (R)	Ernie Forge
Asotin.....	Asotin.....	Jay Roy Jones (R)	Jay Roy Jones (R)	H. C. "Herb" Reeves (D)	John Thrasher
Benton.....	Prosser.....	Herbert H. Davis (D)	Dr. R. W. Kite (R)	H. S. Harrison (R)	Gweldon O. Ewart
Chelan.....	Wenatchee.....	E. R. Whitmore, Jr. (R)	Dr. R. W. Bonifaci (D)	C. R. Nickell (R)	Dorothy W. Beamer
Clallam.....	Port Angeles....	S. Brooke Taylor (R)	S. Brooke Taylor (R)	R. Harley Bishop (D)	Kenneth Howerton
Clark.....	Vancouver.....	C. Brent Nevin (D)	Arch Hamilton (R)	Eugene A. Cotton (R)	Leo Blodgett
Columbia.....	Dayton.....	H. N. Woolson (R)	H. N. Woolson (R)	Garv Von Cadow (D)	John Thrasher
Cowlitz.....	Kelso.....	Henry R. Dunn (D)	D. F. Winebrenner (D)	Charles Gill (D)	Leo Blodgett
Douglas.....	Waterville.....	Fred Van Sickle (R)	Fred Van Sickle (R)	Bill Williams (D)	Dorothy W. Beamer
Ferry.....	Republic.....	Granville Egan (R)	Granville Egan (R)	Lloyd E. Daily (D)	Van W. Emerson
Franklin.....	Pasco.....	C. J. Rabideau (D)	C. J. Rabideau (D)	Dick Boyles (D)	Gweldon O. Ewart
Garfield.....	Pomeroy.....	John C. Keatts (D)	John C. Keatts (D)	Russell C. Pierce (D)	John Thrasher
Grant.....	Ephrata.....	Paul A. Klasen (D)	Ronald M. Gill (D)	Ralph W. Hall (D)	Ernie Forge
Grays Harbor...	Montesano.....	L. Edward Brown (D)	Harold M. Schmid (D)	A. M. Gallagher (D)	Fred Tidwell

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	PROSECUTING ATTORNEY	CORONER	SHERIFF	INTERMEDIATE SCHOOL DISTRICT SUPT. (N.P.)
Island.....	Coupeville.....	Edward C. Beeksma (D)	Edward C. Beeksma (D)	Arnold R. Freund (R)	Dr. Charles J. Murray, part; Frederick D. Chesterly, part.
Jefferson.....	Port Townsend..	William J. Daly (R)	William J. Daly (R)	Robert L. Hansen (R)	Kenneth Howerton
*King.....	Seattle.....	Christopher Bayley (R)	Dr. Gale E. Wilson	Lawrence G. Waldt	Robert J. Marum
Kitsap.....	Port Orchard....	John C. Merkel (D)	M. L. Morrison (D)	Art N. Morken (D)	Kenneth Howerton
Kittitas.....	Ellensburg.....	Joe Panattoni (D)	Joe Panattoni (D)	Robert A. Barret (R)	Orville J. Widman
Klickitat.....	Goldendale.....	L. Eugene Hanson (R)	L. Eugene Hanson (R)	Stacy H. Reeves, Jr. (R)	Leo Blodgett, part; Robert J. Marum, part.
Lewis.....	Chehalis.....	Brian M. Baker (R)	John P. Penberth (D)	William H. Wiester (R)	Fred Tidwell
Lincoln.....	Davenport.....	Philip W. Borst (R)	Philip W. Borst (R)	Donald L. Forbush (D)	Van W. Emerson
Mason.....	Shelton.....	Byron McClanahan (D)	Byron McClanahan (D)	John D. Robinson (D)	Kenneth Howerton, part; Fred Tidwell, part.
Okanogan.....	Okanogan.....	Charles Ray Byrd	B. E. Kohls (D)	Charles Ray Byrd	Dorothy W. Beamer

\*County Council

**ROSTER OF COUNTY OFFICIALS OF WASHINGTON AS OF JANUARY 8, 1973—Continued**

COUNTY	COUNTY SEAT	PROSECUTING ATTORNEY	CORONER	SHERIFF	INTERMEDIATE SCHOOL DISTRICT SUPT. (N.P.)
Pacific.....	South Bend.....	Anton J. Miller (R)	Anton J. Miller (R)	William A. Webb (D)	Fred Tidwell, part ; Leo Blodgett, part.
<b>Pend Oreille.....</b>	<b>Newport.....</b>	<b>James P. McNally (D)</b>	<b>James P. McNally (D)</b>	<b>Norman Cox (D)</b>	<b>Van W. Emerson</b>
Pierce.....	Tacoma.....	Ronald L. Hendry (R)	Jack Davelaar (D)	Carl L. Petersen (R)	Dr. W. Del Walker
San Juan.....	Friday Harbor..	Warren W. Russell (R)	Warren W. Russell (R)	Don F. Brown (D)	Frederick D. Chesterly
Skagit.....	Mt. Vernon.....	Earl F. Angevine (R)	Ilo Sande (D)	John Boynton (D)	Frederick D. Chesterly
Skamania.....	Stevenson.....	Robert K. Leick (R)	Robert K. Leick (R)	William R. Closner (R)	Leo Blodgett
Snohomish.....	Everett.....	Robert E. Schillberg (D)	Robert H. Phillips (D)	Donald F. Jennings (D)	Dr. Charles J. Murray
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Stevens.....	Colville.....	Fred Stewart (R)	Fred Stewart (R)	Chan St. Clair, Jr. (D)	Van W. Emerson
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Whatcom.....	Bellingham.....	Jane Mason (D)	Dr. Robert Rood (R)	Bernie Reynolds (D)	Frederick D. Chesterly
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