

lars as additional penalty: *Provided*, That this shall apply to the reinstatement of corporations, the names of which shall have been stricken at the present time, and hereafter whenever any corporation shall have its name stricken from the records by the secretary of state it shall, in applying for reinstatement, pay all license fees and penalties then due from it and the additional sum of twenty dollars for each and every year that its name has been stricken from the records, and upon the making of such application and such payment, it shall be the duty of the secretary of state to enter upon his records a notation that such corporation is reinstated.

Re-instate-
ment.

Emergency.

SEC. 3. An emergency exists and this act shall take effect immediately.

Passed the Senate March 3, 1911.

Passed the House March 7, 1911.

Approved by the Governor March 9, 1911.

CHAPTER 42.

[H. B. 153.]

INITIATIVE AND REFERENDUM.

AN ACT to amend section 1 of article II of the Constitution of the State of Washington, relating to legislative powers, providing for the initiative and referendum, and striking section 31 of said article II, relating to the time when laws take effect.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1912, there shall be submitted to the qualified electors of the state for adoption and approval or rejection an amendment to article II of the Constitution of the State of Washington, relating to legislative powers, by striking from article II all of sections 1 and 31, and inserting in lieu thereof as section 1 the following, so that the same shall read as follows:

Amending
Art. II,
Constitution.

Article II, section 1. 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

Initiative.

Per cent.
required.

Precedence.

Legislature
may reject
measure.

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.

Referendum.

(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.

Time of tak-
ing effect.

(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.

Petition filed
with secre-
tary of state.

(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 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.

Vote necessary to adopt.

Basis of petition.

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.

Publicity.

SEC. 2. The secretary of state shall cause the amendment proposed in section 1 of this act to be published for three months next preceding the said election therein described in some weekly newspaper in every county where such newspaper is published throughout the state.

Notice of proposed amendment.

SEC. 3. There shall be printed on all ballots provided for the said election, the words:

Form of
ballot.

“For the proposed amendment of section 1 of article II of the constitution of the State of Washington, relating to legislative powers and providing for the initiative and referendum.”

“Against the proposed amendment of section 1 of article II of the constitution of the State of Washington, relating to legislative powers, and providing for the initiative and referendum.”

“For the proposed amendment of article II of the constitution of the State of Washington, by striking section 31 therefrom, which relates to the time when laws take effect.”

“Against the proposed amendment of article II of the constitution of the State of Washington, by striking section 31 therefrom, which relates to the time when laws take effect.”

Proclama-
tion.

SEC. 4. If it shall appear from the ballots cast at the said election that a majority of the qualified electors voting upon the question of the adoption of the said amendment have voted in favor of the same, the governor shall make proclamation of the same in the manner provided by law, and the said amendment shall be held to have been adopted and to have been a part of the constitution from the date of such proclamation.

Passed the House February 14, 1911.

Passed the Senate March 1, 1911.

Approved by the Governor March 10, 1911.