2005 – 2006 LEGISLATIVE MANUAL

STATE OF WASHINGTON

2005 – 2006
Legislative Manual
State of Washington
Fifty-ninth Legislature

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President of the Senate

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President Pro Tempore,
Senate

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Vice President Pro Tempore,
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The 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 accommodation 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, desolution 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 Devine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Constitution of the United States

Summary

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 - Adjournment - 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.

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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.

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III. No soldier to be quartered in any house, unless, etc.
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VII. Right of trial by jury secured.
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XI. Same subject.
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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

Articles

Article I

Section 1. Legislative Powers. 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. House of Representatives, how constituted, power of impeachment. 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.

No person shall be a representative who shall not have attained to 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.

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 person.* 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 shall 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.

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

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

**Note:* Modified by Amendment XIV, Section 2.

Section 3. The Senate, how constituted, impeachment trials. 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.

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.*

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.

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

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.

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.

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.

**Note:* Provisions changed by Amendment XVII.

Section 4. Election of senators and representatives. The times, places 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.

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.*

**Note:* Provision changed by Amendment XX, Section 2.

Section 5. Quorum, journals, meetings, adjournments. 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.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

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.

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. Compensation, privileges, disabilities. The senators and representatives shall receive a compensation for their serv-

ices, 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.

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. Procedure in passing bills and resolutions. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

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 reconsideration two-thirds of that 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 (Sundays 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.

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 repassed 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. Powers of congress. The congress shall have power 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;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

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

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

To establish post offices and post roads;

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;

To constitute tribunals inferior to the supreme court;

To define and punish piracies and felonies committed on the high seas, and of fences against the law of nations;

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

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

To provide and maintain a navy;

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

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

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;

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 of congress, become the seat of the 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, dock yards, and other needful buildings; and

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. Limitations upon powers of congress. 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.

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.

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

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

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.

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

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. Restrictions upon powers of states. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing 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.

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.

No state shall, without the consent of congress, lay any duty of tonnage, keep troops, or ships of war in time 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. Executive power, election, qualifications of the president. 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

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.

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 the 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 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 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. 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.*

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.

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

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.

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.

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."

**Note:* Provisions superseded by Amendment XII.

Section 2. Powers of the president. 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 offences against the United States, except in cases of impeachment.

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.

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. Powers and duties of the president. 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. Impeachment. 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. Judicial power, tenure of office. 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 offices 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. Jurisdiction. 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.*

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.

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.

**Note:* Clause changed by Amendment XI.

Section 3. Treason, proof and punishment. 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 person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

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. Faith and credit among states. 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. Privileges and immunities, fugitives. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

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.

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. Admission of new states. 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.

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. Guarantee of republican government. 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

Amendment of the Constitution. 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

Debts, supremacy, oath. 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.

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, any thing in the Constitution or laws of any state to the contrary notwithstanding.

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

Ratification and establishment. 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 Gorham
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
Thomas Mifflin
Robt. Morris
Geo. Clymer
Thos. FitzSimons
Jared Ingersoll
James Wilson
Gouv. Morris

Delaware
Geo. Read
Gunning Bedford, Jr.
John Dickinson
Richard Bassett
Jaco. Broom

Maryland
James McHenry
Dan of St. Thos. Jenifer
Danl. Carroll

Virginia
John Blair
James Madison, Jr.

North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu. Williamson

South Carolina
J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia
William Few
Abr. Baldwin

**Note:* The Constitution was submitted on September 17, 1787, by the Constitutional Convention, was ratified by the conventions of several states at various dates up to May 29, 1790, and became effective on March 4, 1789.

Amendments to United States Constitution

1791-1992

Amendment I (1791)

Freedom of religion, of speech, and of the press. 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)

Right to keep and bear arms. 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)

Quartering of soldiers. 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)

Security from unwarrantable search and seizure. The right of the people to be secure in their persons, 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 persons or things to be seized.

Amendment V (1791)

Rights of accused in criminal proceedings. 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)

Right to speedy trial, witnesses, etc. 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)

Trial by jury in civil cases. 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 reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII (1791)

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

Amendment IX (1791)

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

Amendment X (1791)

Powers reserved to states or people. 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.*

**Note:* The first ten amendments were all proposed by congress on September 25, 1789, and were ratified and adoption certified on December 15, 1791.

Amendment XI (1798)

Restriction of judicial powers. 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.*

**Note:* Proposed by congress on March 4, 1794, and declared ratified on January 8, 1798.

Amendment XII (1804)

Election of president and vice president. 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 the person 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 the 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 the 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. 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. But no person constitutionally ineligible to the office of president shall be eligible to that of vice president of the United States.*

**Note:* Proposed by congress on December 9, 1803; declared ratified on September 25, 1804; supplemented by Amendment XX.

Amendment XIII (1865)

Section 1. Abolition of slavery. 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. Power to enforce this article. Congress shall have power to enforce this article by appropriate legislation.*

**Note:* Proposed by congress on January 31, 1865; declared ratified on December 18, 1865.

Amendment XIV (1868)

Section 1. Citizenship rights not to be abridged by states. 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. Apportionment of representatives in congress. 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 abridges, 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. Persons disqualified from holding office. 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. What public debts are valid. 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 suppressing 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. Power to enforce this article. The congress shall have power to enforce, by appropriate legislation, the provisions of this article.*

**Note:* Proposed by congress on June 13, 1866; declared ratified on July 28, 1868.

Amendment XV (1870)

Section 1. Negro suffrage. 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. Power to enforce this article. The congress shall have power to enforce this article by appropriate legislation.*

**Note:* Proposed by congress on February 26, 1869; declared ratified on March 30, 1870.

Amendment XVI (1913)

Authorizing income taxes. 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.*

**Note:* Proposed by congress on July 12, 1909; declared ratified on February 25, 1913.

Amendment XVII (1913)

Popular election of senators. 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 legislatures.

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.

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.*

**Note:* Proposed by congress on May 13, 1912; declared ratified on May 31, 1913.

Amendment XVIII (1919)

Section 1. National liquor prohibition. 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. Power to enforce this article. The congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

Section 3. Ratification within seven years. This article shall be inoperative until it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the congress.*

**Note:* Proposed by congress on December 18, 1917; declared ratified on January 29, 1919. Repealed by Amendment XXI.

Amendment XIX (1920)

Woman Suffrage. 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.

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

**Note:* Proposed by congress on June 4, 1919; declared ratified on August 26, 1920.

Amendment XX (1933)

Section 1. Terms of office. 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. Time of convening congress. 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. Death of president elect. 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. Election of the president. 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.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission.*

**Note:* Proposed by congress on March 2, 1932; declared ratified on February 6, 1933.

Amendment XXI (1933)

Section 1. National liquor prohibition repealed. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. Transportation of liquor into "dry" states. The transportation or importation into any states, territory, or posses-

sion of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the congress.*

**Note:* Proposed by congress on February 20, 1933; declared ratified on December 5, 1933.

Amendment XXII (1951)

Section 1. Terms of office of president. No person shall be elected to the office of the 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.

Section 2. When operative. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the states by the congress.*

**Note:* The certificate of adoption of the 22nd Amendment, dated March 1, 1951, was published in the Federal Register of March 3, 1951.

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.

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

**Note:* 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 federal offices. 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.

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

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

Amendment XXV (1967)
Succession to the Presidency and Vice Presidency - Inability of President to Discharge Powers and Duties of Office

Section 1. Succession to the presidency. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2. Succession to the vice presidency. 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.

Section 3. President's declaration of inability to discharge powers and duties of office. 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.

Section 4. Determination that president is unable to discharge the powers and duties of office. 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.*

**Note:* 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.

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

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

Amendment XXVII (1992)

Compensation of members of Congress. No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.*

**Note:* The certification of adoption of the 27th Amendment dated May 18, 1992, is published in Vol. 57, No. 97, Federal Register, page 21187.

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.]
[President's proclamation declaring Washington a state: 26 St. at Large, Proclamations, p 10, Nov. 11, 1889.]

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 conventions 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

said 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 the 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 States 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 irrevoca-

ble without the consent of the United States and the people of said States:

First. That 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 States 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 the 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 re-apportionment 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 conventions 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 rejected 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 elec-

tion 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 the 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 States 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 indemnity 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.

Reviser's 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 constitu-

tions 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 February 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. Statutes 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 p 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.]

(8) October 16, 1970:

AN ACT To amend section 11 of the Act approved February 22, 1889 (25 Stat. 676) as amended by the Act of May 7, 1932 (47 Stat. 150), and as amended by the Act of April 13, 1948 (62 Stat. 170) relating to the admission to the Union of the States of North Dakota, South Dakota, Montana, and Washington, and for other purposes.

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 first paragraph of section 11 of the Act approved February 22, 1889 (25 Stat. 676), as amended by the Act of May 7, 1932 (47 Stat. 150), is hereby amended to read as follows:

"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 Federal lands that are surveyed, nonmineral, unreserved public lands within the State, or are reserved public lands within the State that are subject to exchange under the laws governing the administration of such Federal reserved public lands."

and that a new paragraph be added immediately following the above, as follows:

"All exchanges heretofore made under section 11 of the Act approved February 22, 1889 (25 Stat. 676), as amended by the Act approved May 7, 1932 (47 Stat. 150), for reserved public lands of the United States that were subject to exchange under law pursuant to which they were being administered and the requirements thereof have been met, are hereby approved to the same extent as though the lands exchanged were unreserved public lands."

and that the present paragraph 2 of section 11 be amended to read as follows:

"The said lands may be leased under such regulations as the legislature may prescribe." [Public Law 91-463. 84 U.S. Statutes at Large p 987. Approved October 16, 1970.]

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.

Reviser's note: 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 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 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 10 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 twenty-four hundred and seventy-nine 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 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 the 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 States 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.

Approved, February 22, 1889. [25 U.S. Statutes at Large, c 180 p 676.]

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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 section 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 section 8 of the Enabling Act, the president of the United States proclaimed the admission of the State of Washington into the Union.

Summary

Preamble

Article I - Declaration of Rights

Sections

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2 Supreme law of the land.
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Constitution of the State of Washington

Preamble

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

Articles

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.

Section 2. Supreme law of the land. The Constitution of the United States is the supreme law of the land.

Section 3. Personal rights. No person shall be deprived of life, liberty, or property, without due process of law.

Section 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.

Section 5. Freedom of speech. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

Section 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.

Section 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.

Section 8. Irrevocable privilege, franchise or immunity prohibited. No law granting irrevocably any privilege, franchise or immunity, shall be passed by the legislature.

Section 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.

Section 10. Administration of justice. Justice in all cases shall be administered openly, and without unnecessary delay.

Section 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 such of the state custodial, correctional, and mental institutions, or by a county's or public hospital district's hospital, health care facility, or hospice, 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. [**Amendment 88**, 1993 House Joint Resolution No. 4200, p 3062. Approved November 2, 1993.]

Amendment 34 (1957) - Art. 1 Section 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 such of the state custodial, correctional and mental institutions as in the discretion of the leg-*

islature 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. [**Amendment 34**, 1957 Senate Joint Resolution No. 14, p 1299. Approved November 4, 1958.]

Amendment 4 (1904) - Art. 1 Section 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.* [**Amendment 4**, 1903 p 283 Section 1. Approved November, 1904.]

Original text - Art. 1 Section 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.*

Section 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.

Section 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.

Section 14. Excessive bail, fines and punishments. Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

Section 15. Convictions, effect of. No conviction shall work corruption of blood, nor forfeiture of estate.

Section 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. [**Amendment 9**, 1919 p 385 Section 1. Approved November, 1920.]

Original text - Art. 1 Section 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 first been 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 determined as such without regard to any legislative assertion that the use is public.*

Section 17. Imprisonment for debt. There shall be no imprisonment for debt, except in cases of absconding debtors.

Section 18. Military power, limitation of. The military shall be in strict subordination to the civil power.

Section 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.

Section 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.

Section 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.

Section 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. **[Amendment 10**, 1921 p 79 Section 1. Approved November, 1922.]

Original text - Art. 1 Section 22. Rights of accused persons - *In criminal prosecution, the accused shall have the right to appear and defend in per-*

son, 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 alleged to have been committed, and the right to appeal in all cases; and, in no instance, shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

Section 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.

Section 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.

Section 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.

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

Section 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.

Section 28. Hereditary privileges abolished. No hereditary emoluments, privileges, or powers, shall be granted or conferred in this state.

Section 29. Constitution mandatory. The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

Section 30. Rights reserved. The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.

Section 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.

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

Section 33. Recall of elective officers. Every elective public officer of 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. [**Amendment 8**, 1911 p 504 Section 1. Approved November, 1912.]

Section 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. [**Amendment 8**, 1911 p 504 Section 1. Approved November, 1912.]

Section 35. Victims of crimes - Rights. Effective law enforcement depends on cooperation from victims of crime. To ensure victims a meaningful role in the criminal justice system and to accord them due dignity and respect, victims of crime are hereby granted the following basic and fundamental rights.

Upon notifying the prosecuting attorney, a victim of a crime charged as a felony shall have the right to be informed of and, subject to the discretion of the individual presiding over the trial or court proceedings, attend trial and all other court proceedings the defendant has the right to attend, and to make a statement at sentencing and at any proceeding where the defendant's release is considered, subject to the same rules of procedure which govern the defendant's rights. In the event the victim is deceased, incompetent, a minor, or otherwise unavailable, the prosecuting attorney may identify a representative to appear to exercise the victim's rights. This provision shall not constitute a basis for error in favor of a defendant in a criminal proceeding nor a basis for providing a victim or the victim's representative with court appointed counsel. [**Amendment 84**, 1989 Senate Joint Resolution No. 8200, p 2999. Approved November 7, 1989.]

Article II
Legislative Department

Section 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. Every such petition shall include the full text of the measure so proposed. In the case of initiatives to the legislature and initiatives to the people, the number of valid signatures of legal voters required shall be equal to eight percent of the votes cast for the office of governor at the last gubernatorial election preceding the initial filing of the text of the initiative measure with the secretary of state.

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 certify the results within forty days of the filing. If certification is not complete by the date that the legislature convenes, he shall provisionally certify the measure pending final certification of the measure. Such initiative measures, whether certified or provisionally certified, 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 measures 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 insti-

tutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted: *Provided,* That the legislature may not order a referendum on any initiative measure enacted by the legislature under the foregoing subsection (a). The number of valid signatures of registered voters required on a petition for referendum of an act of the legislature or any part thereof, shall be equal to or exceeding four percent of the votes cast for the office of governor at the last gubernatorial election preceding the filing of the text of the referendum measure with the secretary of state.

(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: *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.

(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 next succeeding regular general election following the filing of the measure with the secretary of state, 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. 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.

(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. [**Amendment 72**, 1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

Referendum procedures regarding salaries: Art. 28 Section 1.

Amendment 7 (1911) - Art. 2 Section 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 were 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 measures 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 were 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: Subsection (c) was 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, 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. *[Note: Cf. Art. 2 Sec. 1(a),* ***Amendment 30.****] 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 was expressly superseded by subsection (e) of this section, which was added by* ***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. [**Amendment 7**, 1911 House Bill No. 153 p 136. Approved November, 1912; Subsection (e) added by **Amendment 36**, 1961 Senate Joint Resolution No. 9, p 2751. Approved November, 1962.]

Original text - Art. 2 Section 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**.

Section 1(a). Initiative and referendum, signatures required. [Stricken by **Amendment 72**, 1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

Amendment 30 (1956) - Art. 2 Section 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 to the Constitution of this state.* [**Amendment 30**, 1955 Senate Joint Resolution No. 4, p 1860. Approved November 6, 1956.]

Section 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.

Section 3. The Census. [Repealed by **Amendment 74**, 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

Original text - Art. 2 Section 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.*

Section 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.

Section 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.

Section 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.

Section 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.

Section 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: Art. 2 Section 42.

Section 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.

Section 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.

Section 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.

Section 12. Sessions, when - Duration. *(1) Regular sessions.* A regular session of the legislature shall be convened each year. Regular sessions shall convene on such day and at such time as the legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than one hundred five consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) Special Legislative Sessions. Special legislative sessions may be convened for a period of not more than thirty consecutive days by proclamation of the governor pursuant to Article III, section 7 of this Constitution. Special legislative sessions may also be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. The resolution convening the legislature shall specify a purpose or purposes for the convening of a special session, and any special session convened by the resolution shall consider only measures germane to the purpose or purposes expressed in the resolution, unless by resolution adopted during the session upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, an additional purpose or purposes are expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

(3) Committees of the Legislature. Standing and special committees of the legislature shall meet and conduct official business pur-

suant to such rules as the legislature may adopt. [**Amendment 68**, 1979 Substitute Senate Joint Resolution No. 110, p 2286. Approved November 6, 1979.]

Extraordinary sessions to reconsider vetoes: Art. 3 Section 12.
Sessions to convene on the second Monday in January: RCW 44.04.010.

Original text - Art. 2 Section 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.*

Section 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 during the term for which he was elected. Any member of the legislature who is appointed or elected to any civil office in the state, the emoluments of which have been increased during his legislative term of office, shall be compensated for the initial term of the civil office at the level designated prior to the increase in emoluments. [**Amendment 69**, 1979 Senate Joint Resolution No. 112, p 2287. Approved November 6, 1979.]

Original text - Art 2 Section 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.*

Section 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.

Section 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 county legislative authority 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 or council 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 the members of the county legislative authority 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 or council 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 or her successor is elected at the next general election, and has qualified: *Provided,* That in case of a vacancy occurring after the general election in a year that the office appears on the ballot and before the start of the next term, the term of the successor who is of the same party as the incumbent may commence once he or she has qualified and shall continue through the term for which he or she was elected: *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 legislative authorities 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 the members of the county legislative authority 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. [**Amendment 96,** 2003 House Joint Resolution No. 4206, p 2819. Approved November 4, 2003.]

Governmental continuity during emergency periods: Art. 2 Section 42. Vacancies in county, etc., offices, how filled: Art. 11 Section 6.

Amendment 52, part (1967)—Art. 2 Section 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.* [**Amendment 52**, part, 1967 Senate Joint Resolution No. 24, part; see 1969 p 2976. Approved November 5, 1968.]

Amendment 32 (1956)—Art. 2 Section 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 se-*

lected 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. [**Amendment 32**, 1955 Senate Joint Resolution No. 14, p 1862. Approved November 6, 1956.]

Amendment 13 (1930)—Art. 2 Section 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.* [**Amendment 13**, 1929 p 690. Approved November, 1930.]

Original text - Art. 2 Section 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.*

Section 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.

Section 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.

Section 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.

Section 19. Bill to contain one subject. No bill shall embrace more than one subject, and that shall be expressed in the title.

Section 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.

Section 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.

Section 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.

Governmental continuity during emergency periods: Art. 2 Section 42.

Section 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 legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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. [**Amendment 56**, 1971 Senate Joint Resolution No. 5, p 1828. Approved November 7, 1972.]

Original text - Art. 2 Section 24. Lotteries and divorce - *The legislature shall never authorize any lottery or grant any divorce.*

Section 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. [**Amendment 35**, 1957 Senate Joint Resolution No. 18, p 1301. Approved November 4, 1958.]

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1.

Increase during term of certain officers, authorized: Art. 30 Section 1.

Increase or diminution of compensation during term of office prohibited.
county, city, town or municipal officers: Art. 11 Section 8.
judicial officers: Art. 4 Section 13.
state officers: Art. 3 Section 25.

Original text - Art. 2 Section 25. Extra compensation, prohibited - *The legislature shall never grant any extra compensation to any public officer, agent, 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.*

Section 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.

Section 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.

Section 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 seats, provided, this shall not be construed to apply to the creation of new counties.

Corporations for municipal purposes shall not be created by special laws: Art. 11 Section 10.

Section 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.

Section 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 po-

sition 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.

Section 31. Laws, when to take effect. [This section stricken by **Amendment 7**, 1911 House Bill No. 153, p 136. Approved November, 1912.]

Original text - Art. 2 Section 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.*

Effective dates of laws: Art. 2 Sections 1 and 41.

Section 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.

Section 33. Alien ownership. [Repealed by **Amendment 42**, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

Amendment 29 (1954) - Art. 2 Section 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.* [**Amendment 29**, 1953 House Joint Resolution No. 16, p 853. Approved November 2, 1954.]

Amendment 24 (1950) - Art. 2 Section 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. [**Amendment 24**, 1949 Senate Joint Resolution No. 9, p 999. Approved November, 1950.]

Original text - Art. 2 Section 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 on alien for the purposes of this prohibition.*

Section 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.

Section 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.

Section 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.

Section 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.

Section 38. Limitation on amendments. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

Section 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.

Section 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. [**Amendment 18**, 1943 House Joint Resolution No. 4, p 938. Approved November, 1944.]

Section 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. [**Amendment 26**, 1951 Substitute Senate Joint Resolution No. 7, p 959. Approved November 4, 1952.]

Reviser's note: (1) In third sentence, comma between "general" and "regular" omitted in conformity with enrolled resolution.

(2) Subsection (c) of section 1 of this article was amended by Amendment 72, approved November 3, 1981.

Section 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 Offices;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records. [**Amendment 39**, 1961 House Joint Resolution No. 9, p 2758. Approved November, 1962.]

Continuity of government act: Chapter 42.14 RCW.

Section 43. Redistricting. (1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official and no person elected to legislative district, county, or state political party office may serve on the commission. A commission member shall not have been an elected official and shall not have been an elected legislative district, county, or state political party officer within two years of his or her appointment to the commission. The provisions of this subsection do not apply to the office of precinct committee person.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day of the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds

vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. At least three of the voting members shall approve such a modification. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(10) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(11) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution. [**Amendment 74**, 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

Article III
The Executive

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Extraordinary sessions to reconsider vetoes: Art. 3 Section 12.

Section 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.

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

Section 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. [**Amendment 6**, 1909 p 642 Section 1. Approved November, 1910.]

Governmental continuity during emergency periods: Art. 2 Section 42.

Original text - Art. 3 Section 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 de-*

volve upon the secretary of state, who shall act as governor until the disability be removed or a governor elected.

Section 11. Remission of fines and forfeitures. The governor shall have 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.

Section 12. Veto powers. 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 twenty 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: *Provided,* That within forty-five days next after the adjournment, Sundays excepted, the legislature may, upon petition by a two-thirds majority or more of the membership of each house, reconvene in extraordinary session, not to exceed five days duration, solely to reconsider any bills vetoed. If any bill presented to the governor contain several sections or appropriation items, he may object to one or more sections or appropriation items while approving other portions of the bill: *Provided,* That he may not ob-

ject to less than an entire section, except that if the section contain one or more appropriation items he may object to any such appropriation item or items. In case of objection he shall append to the bill, at the time of signing it, a statement of the section or sections, appropriation item or items to which he objects and the reasons therefor; and the section or sections, appropriation item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided. The provisions of Article II, section 12 insofar as they are inconsistent herewith are hereby repealed. [**Amendment 62**, 1974 Senate Joint Resolution No. 140, p 806. Approved November 5, 1974.]

Veto power withheld from initiated and referred measures: Art. 2 Section 1.

Original text - Art. 3 Section 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 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 does not extend to initiated or referred measures: Art. 2 Section 1(d).

Section 13. Vacancy in appointive office. When, during a recess of the legislature, a vacancy shall happen in any office, the ap-

pointment 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.

Appointment of governing boards of educational, reformatory and penal institutions: Art. 13 Section 1.

Governmental continuity during emergency periods: Art. 2 Section 42.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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."

Design of the Seal: Art. 18 Section 1.

State seal: RCW 1.20.080.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 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.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1, Art. 30.

Section 23. Commissioner of public lands - Compensation. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.

Section 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 governor, secretary of state, treasurer and auditor shall reside.

Governmental continuity during emergency periods: Art. 2 Section 42.

Section 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. [**Amendment 31**, 1955 Senate Joint Resolution No. 6, p 1861. Approved November 6, 1956.]

Authorizing compensation increase during term: Art. 30 Section 1.

Increase or diminution of compensation during term of office prohibited.
county, city, town or municipal officers: Art. 11 Section 8.
judicial officers: Art. 4 Section 13.
public officers: Art. 2 Section 25.

Original text - Art. 3 Section 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

Section 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: Art. 4 Section 30.

Section 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 nonjudicial 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.

Section 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. [**Amendment 38**, 1961 House Joint Resolution No. 6, p 2757. Approved November, 1962.]

Section 3. Election and terms of supreme court 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 supreme court shall select a chief justice from its own membership to serve for a four-year term at the pleasure of a majority of the court as prescribed by supreme court rule.

The chief justice shall preside at all sessions of the supreme court. In case of the absence of the chief justice, the majority of the remaining court shall select one of their members to serve as acting chief justice. 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 occur in the office of a judge of the supreme court the governor shall only appoint a person to ensure the number of judges as specified by the legislature, 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. [**Amendment 89**, 1995 Substitute Senate Joint Resolution No. 8210, p 2905. Approved November 7, 1995.]

Original text - Art. 4 Section 3. Election and terms of supreme court 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 occur 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.

Section 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. [**Amendment 25**, 1951 House Joint Resolution No. 6, p 960. Approved November 4, 1952.]

Section 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 ($200) 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.

Section 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 Clarke, 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 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 person 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.

Supreme court may authorize superior court judge to perform judicial duties in any superior court: Art. 4 Section 2(a).

Section 6. Jurisdiction of superior courts. Superior courts and district courts have concurrent jurisdiction in cases in equity. The superior court shall have original jurisdiction 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 three thousand dollars or as otherwise determined by law, 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. [**Amendment 87**, 1993 House Joint Resolution No. 4201, p 3063. Approved November 2, 1993.]

Amendment 65, part (1977) - Art. 4 Section 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 three thousand dollars or as otherwise determined by law, 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. [**Amendment 65**, part, 1977 Senate Joint Resolution No. 113, p 1714. Approved November 8, 1977.]

Amendment 65 also amended Art. 4 Section 10.

Amendment 28, part (1952) - Art. 4 Section 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. [**Amendment 28**, part, 1951 Substitute House Joint Resolution No. 13, p 962. Approved November 4, 1952.]

Note: Amendment 28 also amended Art. 4 Section 10.

Original Text - Art. 4 Section 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 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 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.*

Section 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 or her duty to do so. A case in the superior court may be tried by a judge pro tempore either with the agreement of the parties if the judge pro tempore is a member of the bar, is agreed upon in writing by the parties litigant or their attorneys of record, and is approved by the court and sworn to try the case; or without the agreement of the parties if the judge pro tempore is a sitting elected judge and is acting as a judge pro tempore pursuant to supreme court rule. The supreme court rule must require assignments of judges pro tempore based on the judges' experience and must provide for the right, exercisable once during a case, to a change of judge pro tempore. Such right shall be

in addition to any other right provided by law. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement. [**Amendment 94**, 2001 Engrossed Senate Joint Resolution No. 8208, p 2327. Approved November 6, 2001.]

Amendment 80 - Art. 4 Section 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. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement.* [**Amendment 80**, 1987 Senate Joint Resolution No. 8207, p 2815. Approved November 3, 1987.]

Original Text - Art. 4 Section 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.*

Section 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.

Section 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 ayes and nays shall also be entered on the journal.

Removal, censure, suspension, or retirement of judges or justices: Art. 4 Section 31.

Section 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 three thousand dollars or as otherwise determined by law, 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. [**Amendment 65**, part, 1977 Senate Joint Resolution No. 113, p 1714. Approved November 8, 1977.]

Amendment 65 also amended Art. 4 Section 6.

Amendment 28, part (1952) - Art. 4 Section 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.* [**Amendment 28**, part, 1951 Substitute House Joint Resolution No. 13, p 962. Approved November 4, 1952.]

Note: Amendment 28 also amended Art. 4 Section 6.

Original text - Art. 4 Section 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 jurisdic-*

tion 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 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.

Section 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.

Section 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.

Section 13. Salaries of judicial officers - 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: Art. 30 Section 1.

Increase or diminution of compensation during term of office prohibited
county, city or municipal officers: Art. 11 Section 8.
public officers: Art. 2 Section 25.
state officers: Art. 3 Section 25.

Section 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 judges herein provided.

Compensation of legislators, elected state officials, and judges: Art. 28 Section 1.

Section 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.

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

Section 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.

Section 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.

Section 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.

Section 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 hearing.

Section 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.

Section 22. Clerk of the 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.

Section 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.

Section 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.

Section 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.

Section 26. Clerk of the superior court. The county clerk shall be by virtue of his office, clerk of the superior court.

Section 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.

Section 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 judge to the best of his ability, which oath shall be filed in the office of the secretary of state.

Section 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. [**Amendment 41**, 1965 ex.s. Substitute Senate Joint Resolution No. 6, p 2815. Approved November 8, 1966.]

Section 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. [**Amendment 50**, 1967 Senate Joint Resolution No. 6; see 1969 p 2975. Approved November 5, 1968.]

Reviser's note: This section which was adopted as Sec. 29 is herein renumbered Sec. 30 to avoid confusion with Sec. 29, supra.

Section 31. Commission on judicial conduct. (1) There shall be a commission on judicial conduct, existing as an independent agency of the judicial branch, and consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and six persons who are not attorneys appointed by the governor.

(2) Whenever the commission receives a complaint against a judge or justice, or otherwise has reason to believe that a judge or justice should be admonished, reprimanded, censured, suspended, removed, or retired, the commission shall first investigate the complaint or belief and then conduct initial proceedings for the purpose of determining whether probable cause exists for conducting a public hearing or hearings to deal with the complaint or belief. The investigation and initial proceedings shall be confidential. Upon beginning an initial proceeding, the commission shall notify the judge or justice of the existence of and basis for the initial proceeding.

(3) Whenever the commission concludes, based on an initial proceeding, that there is probable cause to believe that a judge or justice has violated a rule of judicial conduct or that the judge or justice suffers from a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties, the commission shall conduct a public hearing or hearings and shall make public all those records of the initial proceeding that provide the basis for its conclusion. If the

commission concludes that there is not probable cause, it shall notify the judge or justice of its conclusion.

(4) Upon the completion of the hearing or hearings, the commission in open session shall either dismiss the case, or shall admonish, reprimand, or censure the judge or justice, or shall censure the judge or justice and recommend to the supreme court the suspension or removal of the judge or justice, or shall recommend to the supreme court the retirement of the judge or justice. The commission may not recommend suspension or removal unless it censures the judge or justice for the violation serving as the basis for the recommendation. The commission may recommend retirement of a judge or justice for a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties.

(5) Upon the recommendation of the commission, the supreme court may suspend, remove, or retire a judge or justice. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease. The supreme court shall specify the effect upon salary when it suspends a judge or justice. The supreme court may not suspend, remove, or retire a judge or justice until the commission, after notice and hearing, recommends that action be taken, and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against the judge or justice.

(6) Within thirty days after the commission admonishes, reprimands, or censures a judge or justice, the judge or justice shall have a right of appeal de novo to the supreme court.

(7) Any matter before the commission or supreme court may be disposed of by a stipulation entered into in a public proceeding. The stipulation shall be signed by the judge or justice and the commission or court. The stipulation may impose any terms and conditions deemed appropriate by the commission or court. A stipulation shall set forth all material facts relating to the proceeding and the conduct of the judge or justice.

(8) Whenever the commission adopts a recommendation that a judge or justice be removed, the judge or justice shall be suspended immediately, with salary, from his or her judicial position until a final determination is made by the supreme court.

(9) The legislature shall provide for commissioners' terms of office and compensation. The commission shall employ one or more investigative officers with appropriate professional training and experience. The investigative officers of the commission shall report directly to the commission. The commission shall also employ such administrative or other staff as are necessary to manage the affairs of the commission.

(10) The commission shall, to the extent that compliance does not conflict with this section, comply with laws of general applicability to state agencies with respect to rule-making procedures, and with respect to public notice of and attendance at commission proceedings other than initial proceedings. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings. [**Amendment 85**, 1989 Substitute Senate Joint Resolution No. 8202, p 3000. Approved November 7, 1989.]

Removal by legislature: Art. 4 Section 9.

Amendment 77 (1986) - Art. 4 Section 31. Commission on judicial conduct - removal, censure, suspension, or retirement of judges or justices - Proceedings - *There shall be a commission on judicial conduct consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and four persons who are not attorneys appointed by the governor and confirmed by the senate.*

The supreme court may censure, suspend, or remove a judge or justice for violating a rule of judicial conduct and may retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease.

The supreme court shall specify the effect upon salary when disciplinary action other than removal is taken. The supreme court may not discipline or retire a judge or justice until the commission on judicial conduct recommends after notice and hearing that action be taken and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against a judge or justice.

Whenever the commission receives a complaint against a judge or justice, it shall first conduct proceedings for the purpose of determining whether sufficient reason exists for conducting a hearing or hearings to deal with the accusations. These initial proceedings shall be confidential, unless confidentiality is waived

by the judge or justice, but all subsequent hearings conducted by the commission shall be open to members of the public.

Whenever the commission adopts a recommendation that a judge or justice be removed, the judge or justice shall be suspended immediately, with salary, from his or her judicial position until a final determination is made by the supreme court.

The legislature shall provide for commissioners' terms of office and compensation. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings.
[**Amendment 77**, 1986 Senate Joint Resolution No. 136, p 1532. Approved November 4, 1986.]

Amendment 71 (1980) - Art. 4 Section 31. Judicial qualifications commission - Removal, censure, suspension, or retirement of judges or justices - *There shall be a judicial qualifications commission consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and two persons who are not attorneys appointed by the governor and confirmed by the senate.*

The supreme court may censure, suspend, or remove a judge or justice for violating a rule of judicial conduct and may retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease.

The supreme court shall specify the effect upon salary when disciplinary action other than removal is taken. The supreme court may not discipline or retire a judge or justice until the judicial qualifications commission recommends after notice and hearing that action be taken and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against a judge or justice.

The legislature shall provide for commissioners' terms of office and compensation. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings.
[**Amendment 71**, 1980 Substitute House Joint Resolution No. 37, p 652. Approved November 4, 1980.]

Article V
Impeachment

Section 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.

Section 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.

Section 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

Section 1. Qualifications of electors. All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [**Amendment 63**, 1974 Senate Joint Resolution No. 143, p 807. Approved November 5, 1974.]

Amendment 5 (1910) - Art. 6 Section 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. [**Amendment 5**, 1909 p 26 Section 1. Approved November, 1910.]

Amendment 2 (1896) - Art. 6 Section 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.* [**Amendment 2**, 1895 p 60 Section 1. Approved November, 1896.]

Original text - Art. 6 Section 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.*

Section 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. [**Amendment 46**, 1965 ex.s. Substitute House Joint Resolution No. 4, p 2820. Approved November 8, 1966.]

Section 2. School elections - Franchise, how extended. [This section stricken by Amendment 5, see Art. 6 Section 1.]

Original text - Art. 6 Section 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.*

Section 3. Who disqualified. All persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise. [**Amendment 83**, 1988 House Joint Resolution No. 4231, p 1553. Approved November 8, 1988.]

Original text - Art. 6 Section 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.*

Section 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.

Section 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.

Section 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.

Section 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 pre-requisite to the right to vote, and the same system of registration need not be adopted for both classes.

Section 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 1890, and thereafter all elections for such officers shall be held bi-ennially 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, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.

Cf. Art. 27 Section 14.

Article VII
Revenue and Taxation

Section 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 an 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 thousand ($3,000.00) 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. [**Amendment 81**, 1988 House Joint Resolution No. 4222, p 1551. Approved November 8, 1988.]

Amendment 14 (1930) - Art. 7. Section 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 an 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.* [**Amendment 14**, 1929 p 499 Section 1. Approved November, 1930.]

Reviser's note: Amendment 14 amended Art. 7 by striking all of Sections 1, 2, 3 and 4. Subsequently, Amendment 17 added a new Section 2, and Amendment 19 added a new Section 3.

Original text - Art. 7 Section 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 Section 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*

three hundred dollars ($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." [**Amendment 3**, 1899 p 121 Section 1. Approved November, 1900.]

Original text - Art. 7 Section 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 regulations 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 Section 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 Section 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.*

Section 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 percent 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 as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district 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 voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election: *Provided,* That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire facilities may provide such support for a period not exceeding six years;

(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 voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies 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 voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting 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 preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [**Amendment 95**, 2002 House Joint Resolution number 4220, p 2203. Approved November 5, 2002.

Prior amendments of Art. 7 Section 2, see Amendments 17, 55, 59, 64, 79 and 90.

Amendment 90 (1997) - Art. 7 Section 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 percent 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 as follows:*

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district 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 voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election: Provided, That notwithstanding any other provision of this Constitution, any proposition pursuant

to this subsection to levy additional tax for the support of the common schools may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years;

(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 voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies 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 voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting 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 preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [**Amendment 90**, 1997 House Joint Resolution No. 4208, p 3063. Approved November 4, 1997.]

Amendment 79 (1986) - Art. 7 Section 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 percentum of the total votes cast in such taxing district in the last preceding general election: Provided, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years;

(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. [**Amendment 79**, 1986 House Joint Resolution No. 55, p 1530. Approved November 4, 1986.]

Amendment 64 (1976) - Art. 7 Section 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 percentum of the total votes cast in such taxing district in the last preceding general election: Provided, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

(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. [**Amendment 64**, 1975-'76 2nd ex.s. Senate Joint Resolution No. 137, p 518. Approved November 2, 1976.]

Amendment 59 (1972) and Amendment 55 (1972) - Art. 7 Section 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 percentum 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) Amendment 59, 1971 House Joint Resolution No. 47, p 1834. Approved November, 1972. (ii) Amendment 55, 1971 Senate Joint Resolution No. 1, p 1827. Approved November, 1972.]

Reviser's note: Article 7 Section 2 was twice amended in different respects at the November 1972 general election by the ratification of both S.J.R. No. 1. (Amendment 55) and H.J.R. No. 47. (Amendment 59.) 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" [1971 House Joint Resolution No. 47, part, p 1834]

The section as printed above reflects the content of both amendments.

Amendment 17 (1944) - Art. 7 Section 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. [**Amendment 17**, 1943 House Joint Resolution No. 1, p 936. Approved November, 1944.]

Reviser's note: 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, Section 1, above.

Section 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. [**Amendment 19**, 1945 House Joint Resolution No. 9, p 932. Approved November, 1946.]

Reviser's note: Original section 3 was stricken by Amendment 14. The original section is set out following Art. 7 Section 1, above.

Section 4. No Surrender of power or suspension of tax on corporate property.

Reviser's note: Original section 4 was stricken by Amendment 14. It is set out following Art. 7 Section 1, above.

Section 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.

Section 6. Taxes, how paid. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

Section 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.

Section 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.

Section 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.

Section 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 to those property owners below a specific level of income and those fulfilling certain minimum residential requirements.

[**Amendment 47**, 1965 ex.s. House Joint Resolution No. 7, p 2821. Approved November 8, 1966.]

Section 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. [**Amendment 53**, 1967 House Joint Resolution No. 1; see 1969 p 2976. Approved November 5, 1968.]

Article VIII
State, County, and Municipal Indebtedness

Section 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 (g) 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 pledge the full faith, credit, and taxing power of the state to guarantee the voter approved general obligation debt of school districts in the manner authorized by the legislature. Any such guarantee does not remove the debt obligation of the school district and is not state debt.

(f) 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 (h) 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.

(g) 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.

(h) 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.

(i) 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.

(j) 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.

(k) 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.

(l) 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. [**Amendment 92**, 1999 Senate Joint Resolution No. 8206, p 2387. Approved November 2, 1999.]

Amendment 60, part, (1972) - Art. 8 Section 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. [**Amendment 60**, part, 1971 House Joint Resolution No. 52, part, p 1836. Approved November, 1972.]*

Original text - Art. 8 Section 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.*

Section 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.

Section 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.

[**Amendment 60**, part, 1971 House Joint Resolution No. 52, part, p 1836. Approved November, 1972.]

Amendment 48 (1966) - Art. 8 Section 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 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.* [**Amendment 48**, 1965 ex.s. House Joint Resolution No. 39, p2822. Approved November 8, 1966.]

Original text - Art. 8 Section 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 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.*

Section 4. Moneys disbursed only by appropriations. 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. [**Amendment 11**, 1921 p 80 Section 1. Approved November, 1922.]

Original text - Art. 8 Section 4. Moneys disbursed only by appropriations - *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 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 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.*

Section 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.

Section 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 (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.

[**Amendment 27**, 1951 House Joint Resolution No. 8, p 961. Approved November 4, 1952.]

Provisions of Art. 7 Section 2 (Limitation on Levies) also subject to limitations contained in Art. 8 Section 6: Art. 7 Section 2 (b).

Original text - Art. 8 Section 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 percentum 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.*

Section 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.

Section 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. [**Amendment 45**, 1965 ex.s. Senate Joint Resolution No. 25, p 2819. Approved November 8, 1966.]

Section 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. [**Amendment 51**, 1967 Senate Joint Resolution No. 17; see 1969 p 2976. Approved November 5, 1968.]

Reviser's note: This section which was adopted as Sec. 8, is herein renumbered Sec. 9, to avoid confusion with Sec. 8, supra.

Section 10. Energy, water, or stormwater or sewer services conservation assistance. Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water, energy, or stormwater or sewer services may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water, energy, or stormwater or sewer services to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of water, energy, or stormwater or sewer services in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another.

[**Amendment 91**, 1997 House Joint Resolution No. 4209, p 3065. Approved November 4, 1997.]

Amendment 86 (1989) - Art. 8 Section 10. Energy and water conservation assistance - *Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water or energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water or energy to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of water or energy in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another.* [**Amendment 86**, 1989 Senate Joint Resolution No. 8210, p 3003. Approved November 7, 1989.]

Amendment 82 (1988) - Art. 8 Section 10. Residential energy conservation - *Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another.* [**Amendment 82**, 1988 House Joint Resolution No. 4223, p 1552. Approved November 8, 1988.]

Amendment 70 (1979) - Art. 8 Section 10. Residential energy conservation - *Notwithstanding the provisions of section 7 of this Article, until January 1, 1990 any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of residential structures in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures. Except as provided in section 7 of this*

Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the residential structure benefited. Except as to contracts entered into prior thereto, this amendment to the state Constitution shall be null and void as of January 1, 1990 and shall have no further force or effect after that date. [**Amendment 70**, Substitute Senate Joint Resolution No. 120, p 2288. Approved November 6, 1979.]

Section 11. Agricultural commodity assessments - Development, promotion, and hosting. The use of agricultural commodity assessments by agricultural commodity commissions in such manner as may be prescribed by the legislature for agricultural 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 5 of this article. [**Amendment 76**, 1985 House Joint Resolution No. 42, p 2402. Approved November 5, 1985.]

Article IX
Education

Section 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.

Section 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.

Section 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. [**Amendment 43**, 1965 ex.s. Senate Joint Resolution No. 22, part 1, p 2817. Approved November 8, 1966.]

Original text - Art. 9 Section 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 not been 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 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. 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.*

Section 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.

Section 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: Art. 16 Section 5.

Article X
Militia

Section 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.

Section 2. Organization - Discipline - Officers - Power 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.

Section 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.

Section 4. Public arms. The legislature shall provide by law, for the protection and safe keeping of the public arms.

Section 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.

Section 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

Section 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.

Section 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 proposition 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: Art. 2 Section 42.

Section 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.

Section 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 the 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 the 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.[**Amendment 21**, 1947 Senate Joint Resolution No. 5, p 1372. Approved November 2, 1948.]

Original text - Art. 11 Section 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.*

Section 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. [**Amendment 57**, part, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

Amendment 12 (1924) - Art. 11 Section 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.* [**Amendment 12**, 1923 p 255 Section 1. Approved November, 1924.]

Original text - Art. 11 Section 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 terms 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.*

Section 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. [**Amendment 52**, part, 1967 Senate Joint Resolution No. 24, part. Approved November 5, 1968.]

Governmental continuity during emergency periods: Art. 2 Section 42.

Vacancies in legislature and in partisan county elective office: Art. 2 Section 15.

Original text - Art. 11 Section 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.*

Section 7. Tenure of office limited to two terms. [Repealed by Amendment 22, 1947 House Joint Resolution No. 4, p 1385. Approved November 2, 1948.]

Original text - Art. 11 Section 7. Tenure of office limited to two terms - *No county officer shall be eligible to hold his office more than two terms in succession.*

Section 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. [**Amendment 57**, art, 1971 Senate Joint Resolution No. 38, part, p 1829. Approved November, 1972.]

Original text - Art. 11 Section 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 officers 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.*

Section 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.

Section 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 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. [**Amendment 40**, 1963 ex.s. Senate Joint Resolution No. 1, p 1526. Approved November 3, 1964.]

Original text - Art. 11 Section 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 existing 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 propos-*

als therefore 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.

Authority to incur and limit of indebtedness: Art. 8 Section 6.

Section 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.

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

Section 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.

Section 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.

Section 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 depositary to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

Section 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 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. [**Amendment 58**, 1971 House Joint Resolution No. 21, p 1831. Approved November, 1972.]

Amendment 23 (1948) - Art. 11 Section 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 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 provisions. [**Amendment 23**, 1947 House Joint Resolution No. 13, p 1386. Approved November 2, 1948.]

Article XII
Corporations Other Than Municipal

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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 cor-

poration 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. [**Amendment 16**, 1939 Senate Joint Resolution No. 8, p 1024. Approved November, 1940.]

Original text - Art. 12 Section 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 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.*

Section 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.

Section 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 the other's passengers, tonnage and cars without delay or discrimination.

Section 14. Prohibition against combinations by carriers. [Repealed by Amendment 67, 1977 House Joint Resolution No. 57, p 1714. Approved November 8, 1977.]

Original text - Art. 12 Section 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.*

Section 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.

Section 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.

Section 17. Rolling stock, personalty for purpose 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.

Section 18. Rates for transportation. The legislature may pass laws establishing reasonable rates of charges for the transportation of passengers and freight, and to correct abuses and 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. [**Amendment 66**, 1977 House Joint Resolution No. 55, p 1713. Approved November 8, 1977.]

Original text - Art. 12 Section 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 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.*

Section 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: Art. 1 Section 16.

Section 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.

Section 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.

Section 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 manner 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

Section 1. Educational, reformatory, and penal institutions. Educational, reformatory, and penal institutions; those for the benefit of youth who are blind or deaf or otherwise disabled; for persons who are mentally ill or developmentally disabled; 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 ayes and noes, and entered upon the journal. [**Amendment 83**, 1988 House Joint Resolution No. 4231, p 1553. Approved November 8, 1988.]

Original text - Art. 13 Section 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 ayes and noes, and entered upon the journal.*

Article XIV
Seat of Government

Section 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.

Section 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: Art. 2 Section 42.

Section 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

Section 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 reestablished 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 conve-

niences of navigation and commerce. [**Amendment 15**, 1931 p 417 Section 1. Approved November, 1932.]

Tide lands: Art. 17.

Original text—Art. 15 Section 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, 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 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.*

Section 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.

Section 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

Section 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 ex-

cept in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

Section 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.

Section 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 1, 1895, and not more than one-half prior to January 1, 1905: *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, further,* that no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

Section 4. How much may be offered in certain cases - platting of. No more than one hundred and sixty (160) 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 ($100) 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.

Section 5. Investment of permanent common school fund. The permanent common school fund of this state may be invested as authorized by law. [**Amendment 44,** 1965 ex.s. Senate Joint Resolution No. 22, part 2, p 2817. Approved November 8, 1966.]

Amendment 1 (1894) - Art. 16 Section 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.* [**Amendment 1**, 1893 p 9 Section 1. Approved November, 1894.]

Original text - Art. 16 Section 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.*

Funds for support of education: Art. 9 Section 3.

Article XVII
Tide Lands

Section 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: Art. 15.

Section 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

Section 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 Section 18.
State seal: RCW 1.20.080.

Article XIX
Exemptions

Section 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

Section 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.

Section 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

Section 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 Apportionment

Section 1. Senatorial apportionment. Until otherwise provided by law, the state shall be divided into twenty-four (24) 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 county 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 Clarke 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.

Districts and apportionment: Chapter 44.07B RCW.

Section 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 Clarke 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 representa-

tive; 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.

Districts and apportionment: Chapter 44.07B RCW.

Article XXIII
Amendments

Section 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. [**Amendment 37,** 1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]

Original text - Art. 23 Section 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 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.*

Section 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.

Section 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

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 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. [**Amendment 33**, 1957 Senate Joint Resolution No. 10, p 1292. Approved November 4, 1958.]

Original text—Art. 24 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 Vancou-*

ver'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 equi distant 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.

Article XXV Jurisdiction

Section 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 tracts 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 with the boundaries of this state, 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 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:

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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, 1889.

Section 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 for 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.

Section 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.

Section 10. Probate court, transfer of. When the state is admitted into the Union, and the superior courts in the 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, 1891, 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.

Section 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.

Section 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.

Section 13. Representation in congress. [Repealed by Amendment 74, 1983 Substitute Senate Joint Resolution No. 103. Approved November 8, 1983.]

Original text - Art. 27 Section 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 congress, 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.*

Section 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., 1891, 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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

Section 1. Salaries for legislature, elected state officials, and judges - Independent commission - Referendum. Salaries for members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts shall be fixed by an independent commission created and directed by law to that purpose. No state official, public employee, or person required by law to register with a state agency as a lobbyist, or immediate family member of the official, employee, or lobbyist, may be a member of that commission.

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

Any change of salary shall be filed with the secretary of state and shall become law ninety days thereafter without action of the legislature or governor, but shall be subject to referendum petition by the people, filed within the ninety-day period. Referendum measures under this section shall be submitted to the people at the next following general election, and shall be otherwise governed by the provisions of this Constitution generally applicable to referendum measures. The salaries fixed pursuant to this section shall supersede any other provision for the salaries of members of the legislature, elected officials of the executive branch of state gov-

ernment, and judges of the state's supreme court, court of appeals, superior courts, and district courts. The salaries for such officials in effect on January 12, 1987, shall remain in effect until changed pursuant to this section.

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

The provisions of section 14 of Article IV, sections 14, 16, 17, 19, 20, 21, and 22 of Article III, and section 23 of Article II, insofar as they are inconsistent herewith, are hereby superseded. The provisions of section 1 of Article II relating to referendum procedures, insofar as they are inconsistent herewith, are hereby superseded with regard to the salaries governed by this section. [**Amendment 78**, 1986 Substitute House Joint Resolution No. 49, p 1529. Approved November 4, 1986.]

Authorizing compensation increase during term: Art. 30 Section 1.

Amendment 20 (1948) - Art. 28 Section 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. [**Amendment 20**, 1947 Senate Joint Resolution No. 4, p 1371. Approved November 2, 1948.]

Article XXIX
Investments of Public Pension and Retirement Funds

Section 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, industrial insurance trust fund, or fund held in trust for the benefit of persons with developmental disabilities may be invested as authorized by law. [**Amendment 93**, 2000

Senate Joint Resolution No. 8214, p 1919. Approved November 7, 2000.]

Amendment 75 (1985) - Art. 29 Section 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 or industrial insurance trust fund may be invested as authorized by law. [***Amendment 75***, 1985 House Joint Resolution No. 12, p 2398. Approved November 5, 1985.]*

Amendment 49 (1968) - Art. 29 Section 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. [***Amendment 49***, 1967 Senate Joint Resolution No. 5; see 1969 p 2975. Approved November 5, 1968.]*

Article XXX
Compensation of Public Officers

Section 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. [**Amendment 54**, 1967 House Joint Resolution No. 13; see 1969 p 2976. 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.

(2) The name of this Article has been supplied by the reviser.

Article XXXI
Sex Equality - Rights and Responsibilities

Section 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.

Section 2. Enforcement power of legislature. The legislature shall have the power to enforce, by appropriate legislation, the provisions of this article. [**Amendment 61**, 1972 House Joint Resolution No. 61, p 526. Approved November, 1972.]

The name of this Article and the captions have been supplied by the reviser.

Article XXXII
Special Revenue Financing

Section 1. Special revenue financing. The legislature may enact laws authorizing the state, counties, cities, towns, port districts, or public corporations established thereby to issue nonrecourse revenue bonds or other nonrecourse revenue obligations and to apply the proceeds thereof in the manner and for the purposes heretofore or hereafter authorized by law, subject to the following limitations:

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

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

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

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

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

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

Sections 5 and 7 of Article VIII and section 9 of Article XII shall not be construed as a limitation upon the authority granted by this section. The proceeds of revenue bonds and other revenue obligations issued pursuant to this section for the purpose of financing privately owned property or loans to private persons or corporations shall be subject to audit by the state but shall not otherwise be deemed to be public money or public property for purposes of this Constitution. This section is supplemental to and shall not be construed as a repeal of or limitation on any other authority lawfully exercisable under the Constitution and laws of this state, including, among others, any existing authority to issue revenue bonds. [**Amendment 73**, 1981 Substitute House Joint Resolution No. 7, p 1794. Approved November 3, 1981.]

The 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
C. H. Warner
J. P. T. McCroskey
S. G. Cosgrove
Thos. Hayton
Charles P. Coey
Robert F. Sturdevant
John A. Shoudy
Allen Weir
W. B. Gray
Trusten P. Dyer
Geo. H. Jones
B. L. Sharpstein
H. M. Lillis
James A. Burk
John McReavy
Edward Eldridge
George H. Stevenson
Louis Sohns
A. A. Lindsley
J. J. Weisenburger
P. C. Sullivan
R. S. More
Thomas T. Minor
J. J. Travis
Arnold J. West
Charles T. Fay
George W. Tibbetts
H. W. Fairweather
Thomas C. Griffitts
J. F. Van Name
Albert Schooley
H. C. Willison
T. M. Reed
S. H. Manly
Richard Jeffs
Francis Henry
George Comegys
Oliver H. Joy
David E. Durie
D. Buchanan
John R. Kinnear
Sylvious A. Dickey
Henry Winsor

R. O. Dunbar
Morgan Morgans
Jas. Power
B. B. Glascock
O. A. Bowen
Sam'l H. Berry
D. J. Crowley
J. T. McDonald
John M. Reed

Theodore L. Stiles
Harrison Clothier
Matt. J. McElroy
J. T. Eshelman
Robert Jamieson
Hiram E. Allen
H. F. Suksdorf
J. C. Kellogg
J. A. Hungate

Attest: JNO. I. BOOGE,
Chief Clerk.

The above names are not in the order in which subscribed to the Constitution.

Amendments to State Constitution

Constitutional Amendments (In Order of Adoption)

1	Art. 16 Sec. 5	Investment of school fund.
2	Art. 6 Sec. 1	Qualifications of voters.
3	Art. 7 Sec. 2	(original) Taxation — Uniformity and equality — Exemption.
4	Art. 1 Sec. 11	Religious freedom.
5	Art. 6 Sec. 1	Qualifications of electors.
6	Art. 3 Sec. 10	Vacancy in office of governor.
7	Art. 2 Sec. 1	Legislative powers, where vested.
8	Art. 1 Secs. 33,34	Recall of elective officers.
9	Art. 1 Sec. 16	Eminent domain.
10	Art. 1 Sec. 22	Rights of the accused.
11	Art. 8 Sec. 4	Moneys disbursed only by appropriation.
12	Art. 11 Sec. 5	County government.
13	Art. 2 Sec. 15	Vacancies in legislature.
14	Art. 7 Sec. 1	Taxation (and repealing Art. 7 Secs. 1-4.)
15	Art. 15 Sec. 1	Harbor line commission and restraint on disposition.
16	Art. 12 Sec. 11	Stockholder liability.
17	Art. 7 Sec. 2	Forty mill limit.
18	Art. 2 Sec. 40	Highway funds.
19	Art. 7 Sec. 3	Taxation of federal agencies and property.
20	Art. 28 Sec. 1	Compensation of state officers.
21	Art. 11 Sec. 4	County government and township organization.
22	Art. 11 Sec. 7	Tenure of office limited to two terms. (Repealed.)
23	Art. 11 Sec. 16	Combined city and county.
24	Art. 2 Sec. 33	Alien ownership.
25	Art. 4 Sec. 3(a)	Retirement of supreme court and superior court judges.
26	Art. 2 Sec. 41	Laws, effective date. Initiative, referendum — Amendment or repeal.
27	Art. 8 Sec. 6	Limitations upon municipal indebtedness.
28	Art. 4 Sec. 6	Jurisdiction of superior courts.

	Art. 4 Sec. 10	Justices of the peace.
29	Art. 2 Sec. 33	Alien ownership.
30	Art. 2 Sec. 1(a)	Initiative and referendum, signatures required.
31	Art. 3 Sec. 25	Qualifications, compensation, offices which may be abolished.
32	Art. 2 Sec. 15	Vacancies in legislature and in partisan county elective office.
33	Art. 24 Sec. 1	State boundaries.
34	Art. 1 Sec. 11	Religious freedom.
35	Art. 2 Sec. 25	Extra compensation prohibited.
36	Art. 2 Sec. 1	Legislative powers, where vested (publicity of laws referred to the people).
37	Art. 23 Sec. 1	(Amendments to Constitution) How made.
38	Art. 4 Sec. 2(a)	Temporary performance of judicial duties.
39	Art. 2 Sec. 42	Governmental continuity during emergency periods.
40	Art. 11 Sec. 10	Incorporation of municipalities.
41	Art. 4 Sec. 29	Election of superior court judges.
42		(Repeals Art. 2 Sec. 33 and Amendments 24 and 29.)
43	Art. 9 Sec. 3	(Schools) Funds for support.
44	Art. 16 Sec. 5	Investment of permanent common school fund.
45	Art. 8 Sec. 8	Port expenditures — Industrial development — Promotion.
46	Art. 6 Sec. 1A	Voter qualifications for presidential elections.
47	Art. 7 Sec. 10	Retired persons property tax exemption.
48	Art. 8 Sec. 3	Special indebtedness, how authorized.
49	Art. 29 Sec. 1	(Investments of public pension and retirement funds.) May be invested as authorized by law.
50	Art. 4 Sec. 30	Court of appeals.
51	Art. 8 Sec. 9	State building authority.
52	Art. 2 Sec. 15	Vacancies in legislature and in partisan county elective office.
	Art. 11 Sec. 6	Vacancies in township, precinct or road district offices.
53	Art. 7 Sec. 11	Taxation based on actual use.

54	Art. 30 Sec. 1	(Compensation of public officers.) Authorizing compensation increase during term.
55	Art. 7 Sec. 2	Limitation on levies.
56	Art. 2 Sec. 24	Lotteries and divorce.
57	Art. 11 Secs. 5,8	County government. Salaries and limitations affecting.
58	Art. 11 Sec. 16	Combined city-county.
59	Art. 7 Sec. 2	Limitation on levies.
60	Art. 8 Secs. 1,3	State debt. Special indebtedness, how authorized.
61	Art. 31 Secs. 1,2	Equality not denied because of sex. Enforcement power of legislature.
62	Art. 3 Sec. 12	Veto power.
63	Art. 6 Sec. 1	Qualifications of electors.
64	Art. 7 Sec. 2	Limitation on levies.
65	Art. 4 Sec. 6	Jurisdiction of superior courts.
	Art. 4 Sec. 10	Justices of the peace.
66	Art. 12 Sec. 18	Rates for transportation.
67	Art. 12 Sec. 14	Prohibition against combinations by carriers. (Repealed)
68	Art. 2 Sec. 12	Sessions, when — Duration.
69	Art. 2 Sec. 13	Limitation on members holding office in the state.
70	Art. 8 Sec. 10	Residential energy conservation.
71	Art. 4 Sec. 31	Judicial qualifications commission — Removal, censure, suspension, or retirement of judges or justices.
72	Art. 2 Sec. 1	Legislative powers, where vested.
	Art. 2 Sec. 1(a)	Initiative and referendum, signatures required. (Stricken)
73	Art. 32 Sec. 1	Special revenue financing.
74	Art. 2 Sec. 3	The census. (Repealed)
	Art. 2 Sec. 43	Redistricting.
	Art. 27 Sec. 13	Representation in congress. (Repealed)
75	Art. 29 Sec. 1	May be invested as authorized by law.
76	Art. 8 Sec. 11	Agricultural commodity assessments — Development, promotion, and hosting.
77	Art. 4 Sec. 31	Commission on judicial conduct — Removal, censure, suspension, or retirement of judges or justices — Proceedings.

78	Art. 28 Sec. 1	Salaries for legislators, elected state officials, and judges — Independent commission — Referendum.
79	Art. 7 Sec. 2	Limitation on levies.
80	Art. 4 Sec. 7	Exchange of judges — Judge pro tempore.
81	Art. 7 Sec. 1	Taxation.
82	Art. 8 Sec. 10	Residential energy conservation.
83	Art. 6 Sec. 3	Who disqualified.
	Art. 13 Sec. 1	Educational, reformatory, and penal institutions.
84	Art. 1 Sec. 35	Victims of crimes — Rights.
85	Art. 4 Sec. 31	Commission on judicial conduct.
86	Art. 8 Sec. 10	Energy and water conservation assistance.
87	Art. 4 Sec. 6	Jurisdiction of superior courts.
88	Art. 1 Sec. 11	Religious freedom.
89	Art. 4 Sec. 3	Election and terms of supreme court judges.
90	Art. 7 Sec. 2	Limitation on levies.
91	Art. 8 Sec. 10	Energy, water, or stormwater or sewer services conservation assistance.
92	Art. 8 Sec. 1	State debt.
93	Art. 29 Sec. 1	May be invested as authorized by law.
94	Art. 4 Sec. 7	Exchange of judges — Judge pro tempore.
95	Art. 7 Sec. 2	Limitation on levies.

Amendment 1

Art. 16 Section 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. [1893 p 9 Section 1. Adopted November, 1894.]

Art. 16 Section 5 was later amended by Amendment 44.

Amendment 2

Art. 6 Section 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. [1895 p 60 Section 1. Approved November, 1896.]

Art. 6 Section 1 was later amended by Amendment 5.

Amendment 3

Art. 7 Section 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 three hundred dollars ($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." [1899 p 121 Section 1. Approved November, 1900.]

Original Art. 7 Section 2 and Amendment 3 were stricken by Amendment 14.

Amendment 4

Art. 1 Section 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. [1903 p 283 Section 1. Approved November, 1904.]

Art. 1 Section 11 was later amended by Amendments 34 and 88.

Amendment 5

Article 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):

Art. 6 Section 1. Qualifications of electors. All person 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. [1909 p 26 Section 1. Approved November, 1910.]

Prior amendment of Art. 6, see Amendment 2.
Art. 6. Section 1 was later amended by Amendment 63.

Amendment 6

Art. 3 Section 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. [1909 p 642 Section 1. Approved November, 1910.]

Amendment 7

Article 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 Section 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.

Portion of subdivision (a) is superseded by Amendment 30.

(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.*

Portion of subdivision (b) is superseded by 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.*

Subdivision (c) is superseded by 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 pe-

titions 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.

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. [1911 p 136 Section 1. Approved November, 1912.]

Last paragraph is superseded by Amendment 36.
Art. 2 Section 1 was later amended by Amendment 72.

Amendment 8

Article 1 was amended by adding the two following sections:

Art. 1 Section 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.

Art. 1 Section 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 law-making 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. [1911 p 504 Section 1. Approved November, 1912.]

Amendment 9

Art. 1 Section 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. [1919 p 385 Section 1. Approved November, 1920.]

Amendment 10

Art. 1 Section 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. [1921 p 79 Section 1. Approved November, 1922.]

Amendment 11

Art. 8 Section 4. Moneys disbursed only by appropriations. 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. [1921 p 80 Section 1. Approved November, 1922.]

Amendment 12

Art. 11 Section 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. [1923 p 255 Section 1. Approved November, 1924.]

Art. 11 Section 5 was later amended by Amendment 57.

Amendment 13

Art. 2 Section 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. [1929 p 690. Approved November, 1930.]

Art. 2 Section 15 was later amended by Amendments 32 and 52.

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 Section 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 an 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. [1929 p 499 Section 1. Approved November, 1930.]

Amendment 17 added a new Section 2.
Amendment 19 added a new Section 3.
Art. 7 Section 1 was later amended by Amendment 81.

Amendment 15

Art. 15 Section 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 reestablished 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. [1931 p 417 Section 1. Approved November, 1932.]

Amendment 16

Art. 12 Section 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. [1939 Senate Joint Resolution No. 8, p 1024. Approved November, 1940.]

Amendment 17

Art. 7 Section 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 major-

ity 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. [1943 House Joint Resolution No. 1, p 936. Approved November, 1944.]

Art. 7 Section 2 was later amended by Amendments 55, 59, 64, 79, 90 and 95.

Amendment 18

Art. 2 Section 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. [1943 House Joint Resolution No. 4, p 938. Approved November, 1944.]

Amendment 19

Art. 7 Section 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. [1945 House Joint Resolution No. 9, p 932. Approved November, 1946.]

Amendment 20

Art. 28 Section 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. [1947 Senate Joint Resolution No. 4, p 1371. Approved November 2, 1948.]

Art. 28 Section 1 was later amended by Amendment 78.
Authorizing compensation increase during term: See Amendment 54.

Amendment 21

Art. 11 Section 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 the 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 the 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. [1947 Senate Joint Resolution No. 5, p 1372. Approved November 2, 1948.]

Amendment 22

Section 7, Article 11, Constitution of the State of Washington is hereby repealed. [1947 House Joint Resolution No. 4, p 1385. Approved November 2, 1948.]

Amendment 23

Art. 11 Section 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 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 provisions. [1947 House Joint Resolution No. 13, p 1386. Approved November 2, 1948.]

Art. 11 Section 16 was later amended by Amendment 58.

Amendment 24

[Repealed by Amendment 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

Text of Amendment 24 - Art. 2 Section 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.* [1949 Senate Joint Resolution No. 9, p 999. Approved November 7, 1950.]

Art. 2 Section 33 was also amended by Amendment 29.

Amendment 25

Article 4 was amended by adding the following section:

Art. 4 Section 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. [1951 House Joint Resolution No. 6, p 960. Approved November 4, 1952.]

Amendment 26

Article 2 was amended by adding the following section:

Art. 2 Section 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. [1951 Substitute Senate Joint Resolution No. 7, p 959. Approved November 4, 1952.]

Reviser's note: In third sentence, comma between "general" and "regular" omitted in conformity with enrolled resolution.

Amendment 27

Art. 8 Section 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 (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. [1951 House Joint Resolution No. 8, p 961. Approved November 4, 1952.]

Amendment 28

Art. 4 Section 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.

Later amendment to Art. 4 Section 6, see Amendment 87.

Art. 4 Section 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. [1951 Substitute House Joint Resolution No. 13, p 962. Approved November 4, 1952.]

Later amendment to Art. 4 Section 6 and Section 10, see Amendment 65.

Amendment 29

[Repealed by *Amendment 42, 1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]*

Text of Amendment 29 - Art. 2 Section 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.* [1953 House Joint Resolution No. 16, p 853. Approved November 2, 1954.]

Prior amendment of Art. 2 Section 33, see Amendment 24.

Amendment 30

[Stricken by *Amendment 72,* 1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

Text of Amendment 30 - Art. 2 Section 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 to the Constitution of this state.* [1955 Senate Joint Resolution No. 4, p 1860. Approved November 6, 1956.]

Amendment 31

Art. 3 Section 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. [1955 Senate Joint Resolution No. 6, p 1861. Approved November 6, 1956.]

Authorizing compensation increase during term: See Amendment 54.

Amendment 32

Art. 2 Section 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. [1955 Senate Joint Resolution No. 14, p 1862. Approved November 6, 1956.]

Prior amendment of Art. 2 Section 15, see Amendment 13.
Later amendment of Art. 2 Section 15, see Amendment 52.

Amendment 33

Art. 24 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. [1957 Senate Joint Resolution No. 10, p 1292. Approved November 4, 1958.]

Amendment 34

Art. 1 Section 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 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. [1957 Senate Joint Resolution No. 14, p 1299. Approved November 4, 1958.]

Prior amendment of Art. 1 Section 11, see Amendment 4.
Art. 1 Section 11 was later amended by Amendment 88.

Amendment 35

Art. 2 Section 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. [1957 Senate Joint Resolution No. 18, p 1301. Approved November 4, 1958.]

Increase during term in compensation of certain officers authorized: See Amendment 54.

Amendment 36

Article 2, section 1 (Legislative powers, where vested) 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 elec-

tion. 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. [1961 Senate Joint Resolution No. 9, p 2751. Approved November, 1962.]

Amendment 37

Art. 23 Section 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. [1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]

Amendment 38

Article 4 was amended by adding the following section:

Art. 4 Section 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. [1961 House Joint Resolution No. 6, p 2757. Approved November, 1962.]

Amendment 39

Art. 2 Section 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 Offices;

Article 11, Section 2, Seat of County Government;

Article 3, Section 24, State Records. [1961 House Joint Resolution No. 9, p 2758. Approved November, 1962.]

Amendment 40

Art. 11 Section 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 incorpora-

tion, 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. [1963 ex.s. Senate Joint Resolution No. 1, p 1526. Approved November 3, 1964.]

Amendment 41

Art. 4 Section 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. [1965 ex.s. Substitute Senate Joint Resolution No. 6, p 2815. 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. [1965 ex.s. Senate Joint Resolution No. 20, p 2816. Approved November 8, 1966.]

Amendment 43

Art. 9 Section 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 com-

mon 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. [1965 ex.s. Senate Joint Resolution No. 22, part 1, p 2817. Approved November 8, 1966.]

Amendment 44

Art. 16 Section 5. Investment of permanent common school fund. The permanent common school fund of this state may be invested as authorized by law. [1965 ex.s. Senate Joint Resolution No. 22, part 2, p 2817. Approved November 8, 1966.]

Prior amendment of Art. 16 Section 5, see Amendment 1.

Amendment 45

Art. 8 Section 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. [1965 ex.s. Senate Joint Resolution No. 25, p 2819. Approved November 8, 1966.]

Amendment 46

Art. 6 Section 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. [1965 ex.s. Substitute Joint House Resolution No. 4, p 2820. Approved November 8, 1966.]

Amendment 47

Art. 7 Section 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 to those property owners below a specific level of income and those fulfilling certain minimum residential requirements. [1965 ex.s. House Joint Resolution No. 7, p 2821. Approved November 8, 1966.]

Amendment 48

Art. 8 Section 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 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. [1965 ex.s. House Joint Resolution No. 39, p 2822. Approved November 8, 1966.]

Art. 8 Section 3 was later amended by Amendment 60.

Amendment 49

The Constitution was amended by adding the following new article and section 1 thereof:

Article XXIX
Investments of Public Pension and Retirement Funds

Art. 29 Section 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 Senate Joint Resolution No. 5; see 1969 p 2975. Approved November 5, 1968.]

Art. 29 Section 1 was later amended by Amendments 75 and 93.

Amendment 50

Article 4 was amended by adding the following section:

Art. 4 Section 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; see 1969 p 2975. Approved November 5, 1968.]

Reviser's note: This section which was adopted as Art. 4 Section 29 is herein renumbered Art. 4 Section 30 to avoid confusion with Amendment 41.

Amendment 51

Article 8 was amended by adding the following section:

Art. 8 Section 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 Senate Joint Resolution No. 17; see 1969 p 2976. Approved November 5, 1968.]

Reviser's note: This section which was adopted as Art. 8 Section 8 is herein renumbered as Art. 8 Section 9 to avoid confusion with Amendment 45.

Amendment 52

Art. 2 Section 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 Section 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 Senate Joint Resolution No. 24; see 1969 p 2976. Approved November 5, 1968.]

Prior amendment of Art. 2 Section 15, see Amendments 13 and 32.

Amendment 53

Article 7 was amended by adding the following section:

Art. 7 Section 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 House Joint Resolution No. 1; see 1969 p 2976. Approved November 5, 1968.]

Amendment 54

The Constitution was amended by adding the following new article and section 1 thereof:

Article XXX*
Compensation of Public Officers**

Art. 30 Section 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 House Joint Resolution No. 13; see 1969 p 2976. 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.
**(2) The name of this Article has been supplied by the reviser.

Amendment 55

Art. 7 Section 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 percentum 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. [1971 Senate Joint Resolution No. 1, p 1827. Approved November 7, 1972.]

Reviser's note: Art. 7 Section 2 was also amended at the November 7, 1972 general election by Amendment 59. (HJR 47.)
Prior amendment of Art. 7 Section 2, see Amendment 17.
Art. 7 Section 2 was later amended by Amendments 59, 64, 79, 90 and 95.

Amendment 56

Art. 2 Section 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. [1971 Senate Joint Resolution No. 5, p 1828. Approved November 7, 1972.]

Amendment 57

Art. 11 Section 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 Section 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. [1971 Senate Joint Resolution No. 38, p 1829. Approved November 7, 1972.]

Prior amendment of Art. 11 Section 5, see Amendment 12.

Amendment 58

Art. 11 Section 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 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 mu-

nicipal 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. [1971 House Joint Resolution No. 21, p 1831. Approved November 7, 1972.]

Prior amendment of Art. 11 Section 16, see Amendment 23.

Amendment 59

Art. 7 Section 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 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. [1971 House Joint Resolution No. 47, p 1834. Approved November 7, 1972.]

Reviser's note: Art. 7 Section 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 Section 2, see Amendments 17 and 55.

Art. 7 Section 2 was later amended by Amendments 64, 79, 90 and 95.

Amendment 60

Art. 8 Section 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. 8 Section 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. [1971 House Joint Resolution No. 52, p 1836. Approved November 7, 1972.]

Prior amendment of Art. 8 Section 3, see Amendment 48.
Art. 8 Section 3 was later amended by Amendment 92.

Amendment 61

The Constitution was amended by adding the following new article and sections 1 and 2 thereof:

Article XXXI
Sex Equality - Rights And Responsibilities

Art. 31 Section 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 Section 2. Enforcement power of legislature. The legislature shall have the power to enforce, by appropriate legislation,

the provisions of this article. [1972 House Joint Resolution No. 61, p 526. Approved November 7, 1972.]

The name of this article has been supplied by the reviser.

Amendment 62

Art. 3 Section 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 twenty 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: *Provided,* That within forty-five days next after the adjournment, Sundays excepted, the legislature may, upon petition by a two-thirds majority or more of the membership of each house, reconvene in extraordinary session, not to exceed five days duration, solely to reconsider any bills vetoed. If any bill presented to the governor contain several sections or appropriation items, he may object to one or more sections or appropriation items while approving other portions of the bill: *Provided,* That he may not object to less than an entire section, except that if the section contain one or more appropriation items he may object to any such appropriation item or items. In case of objection he shall append to the bill, at the time of signing it, a statement of the section or sections, appropriation item or items to which he objects and the reasons

therefor; and the section or sections, appropriation item or items so objected to shall not take effect unless passed over the governor's objection, as hereinbefore provided. The provisions of Article II, section 12 insofar as they are inconsistent herewith are hereby repealed. [1974 Senate Joint Resolution No. 140, p 806. Approved November 5, 1974.]

Amendment 63

Art. 6 Section 1. Qualifications of electors. All persons of the age of eighteen years or over who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections. [1974 Senate Joint Resolution No. 143, p 807. Approved November 5, 1974.]

Prior amendment of Art. 6 Section 1, see Amendments 2 and 5.

Amendment 64

Art. 7 Section 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 percentum of the total votes cast in such taxing district in the last preceding general election: *Provided,* That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

(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. [1975-'76 2nd ex.s. Senate Joint Resolution No. 137, p 518. Approved November 2, 1976.]

Prior amendment of Art. 7 Section 2, see Amendments 17, 55, and 59. Art. 7 Section 2 was later amended by Amendments 79, 90 and 95.

Amendment 65

Art. 4 Section 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 three thousand dollars or as otherwise determined by law, 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. [1977 Senate Joint Resolution No. 113, p 1714. Approved November 8, 1977.]

Art. 4 Section 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 legis-

lature 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 three thousand dollars or as otherwise determined by law, 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. [1977 Senate Joint Resolution No. 113, p 1714. Approved November 8, 1977.]

Prior amendment of Art. 4 Section 6 and Section 10, see Amendment 28.

Amendment 66

Art. 12 Section 18. Rates for transportation. The legislature may pass laws establishing reasonable rates of charges for the transportation of passengers and freight, and to correct abuses and 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. [1977 House Joint Resolution No. 55, p 1713. Approved November 8, 1977.]

Amendment 67

Art. 12 Section 14. Prohibition against combinations by carriers. [Repealed by 1977 House Joint Resolution No. 57, p 1714. Approved November 8, 1977.]

Amendment 68

Art. 2 Section 12. Sessions, when - duration. (1) Regular Sessions. A regular session of the legislature shall be convened each year. Regular sessions shall convene on such day and at such time as the legislature shall determine by statute. During each odd-numbered year, the regular session shall not be more than one hundred five consecutive days. During each even-numbered year, the regular session shall not be more than sixty consecutive days.

(2) Special Legislative Sessions. Special legislative sessions may be convened for a period of not more than thirty consecutive days by proclamation of the governor pursuant to Article III, section 7 of this Constitution. Special legislative sessions may also be convened for a period of not more than thirty consecutive days by resolution of the legislature upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, which vote may be taken and resolution executed either while the legislature is in session or during any interim between sessions in accordance with such procedures as the legislature may provide by law or resolution. The resolution convening the legislature shall specify a purpose or purposes for the convening of a special session, and any special session convened by the resolution shall consider only measures germane to the purpose or purposes expressed in the resolution, unless by resolution adopted during the session upon the affirmative vote in each house of two-thirds of the members elected or appointed thereto, an additional purpose or purposes are expressed. The specification of purpose by the governor pursuant to Article III, section 7 of this Constitution shall be considered by the legislature but shall not be mandatory.

(3) Committees of the Legislature. Standing and special committees of the legislature shall meet and conduct official business pursuant to such rules as the legislature may adopt. [1979 Substitute Senate Joint Resolution No. 110, p 2286. Approved November 6, 1979.]

Amendment 69

Art. 2 Section 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 during the term for which he was elected. Any member of the legislature who is appointed or elected to any civil office in the state, the emoluments of which have been increased during his legislative term of office, shall be compensated for the initial term of the civil office at the level designated prior to the increase in emoluments. [1979 Senate Joint Resolution No. 112, p 2287. Approved November 6, 1979.]

Amendment 70

Article 8 was amended by adding the following section:

Art. 8 Section 10. Residential energy conservation. Notwithstanding the provisions of section 7 of this Article, until January 1, 1990 any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of residential structures in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the residential structure benefited. Except as to contracts entered into prior thereto, this amendment to the state Constitution shall be null and void as of January 1, 1990 and shall have no further force or effect after that date. [1979 Substitute Senate Joint Resolution No. 120, p 2288. Approved November 6, 1979.]

Art. 8 Section 10 was later amended by Amendments 82, 86, and 91.

Amendment 71

Article 4 was amended by adding the following section:

Art. 4 Section 31. Judicial qualifications commission - Removal, censure, suspension, or retirement of judges or justices. There shall be a judicial qualifications commission consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and two persons who are not attorneys appointed by the governor and confirmed by the senate.

The supreme court may censure, suspend, or remove a judge or justice for violating a rule of judicial conduct and may retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is

ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease.

The supreme court shall specify the effect upon salary when disciplinary action other than removal is taken. The supreme court may not discipline or retire a judge or justice until the judicial qualifications commission recommends after notice and hearing that action be taken and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against a judge or justice.

The legislature shall provide for commissioners' terms of office and compensation. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings. [1980 Substitute House Joint Resolution No. 37, p 652. Approved November 4, 1980.]

Art. 4 Section 31 was later amended by Amendments 77 and 85.

Amendment 72

Art. 2 Section 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. Every such petition shall include the full text of the measure so proposed. In the case of initiatives to the legislature and initiatives to the people, the number of valid signatures of legal voters required shall be equal to eight percent of the votes cast for the office of governor at the last gubernatorial election preceding the initial filing of the text of the initiative measure with the secretary of state.

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 certify the results within forty days of the filing. If certification is not complete by the date that the legislature convenes, he shall provisionally certify the measure pending final certification of the measure. Such initiative measures, whether certified or provisionally certified, 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 measures 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: *Provided,* That the legislature may not order a referendum on any initiative measure enacted by the legislature under the foregoing subsection (a). The number of valid signatures of registered voters

required on a petition for referendum of an act of the legislature or any part thereof, shall be equal to or exceeding four percent of the votes cast for the office of governor at the last gubernatorial election preceding the filing of the text of the referendum measure with the secretary of state.

(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: *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.

(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 next succeeding regular general election following the filing of the measure with the secretary of state, 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. 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.

(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. [1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

Prior amendment of Art. 2 Section 1, see Amendment 7.

Addition of subsection (e) to Art. 2 Section 1, see Amendment 36.

Art. 2 Section 1(a). Initiative and referendum, signatures required. [Stricken by 1981 Substitute Senate Joint Resolution No. 133, p 1796. Approved November 3, 1981.]

Adoption of Art. 2 Section 1(a), see Amendment 30.

Amendment 73

The Constitution was amended by adding the following new article and section 1 thereof:

Article XXXII
Special Revenue Financing

Art. 32 Section 1. Special revenue financing. The legislature may enact laws authorizing the state, counties, cities, towns, port districts, or public corporations established thereby to issue nonrecourse revenue bonds or other nonrecourse revenue obligations and to apply the proceeds thereof in the manner and for the purposes heretofore or hereafter authorized by law, subject to the following limitations:

(a) Nonrecourse revenue bonds and other nonrecourse revenue obligations issued pursuant to this section shall be payable only from money or other property received as a result of projects fi-

nanced by the nonrecourse revenue bonds or other nonrecourse revenue obligations and from money and other property received from private sources.

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

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

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

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

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

Sections 5 and 7 of Article VIII and section 9 of Article XII shall not be construed as a limitation upon the authority granted by this section. The proceeds of revenue bonds and other revenue obligations issued pursuant to this section for the purpose of financing privately owned property or loans to private persons or corporations shall be subject to audit by the state but shall not otherwise be deemed to be public money or public property for purposes of this Constitution. This section is supplemental to and shall not be construed as a repeal of or limitation on any other authority lawfully exercisable under the Constitution and laws of this state, including, among others, any existing authority to issue revenue bonds. [1981

Substitute House Joint Resolution No. 7, p 1794. Approved November 3, 1981.]

The name of this Article has been supplied by the reviser.

Amendment 74

Article 2 was amended by adding the following section:

Art. 2 Section 43. Redistricting. (1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official and no person elected to legislative district, county, or state political party office may serve on the commission. A commission member shall not have been an elected official and shall not have been an elected legislative district, county, or state political party officer within two years of his or her appointment to the commission. The provisions of this subsection do not apply to the office of precinct committee person.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of

legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day of the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. At least three of the voting members shall approve such a modification. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(10) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(11) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution. [1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

Art. 2 Section 3. The census. [Repealed by 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

Art. 27 Section 13. Representation in congress. [Repealed by 1983 Substitute Senate Joint Resolution No. 103, p 2202. Approved November 8, 1983.]

Amendment 75

Art. 29 Section 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 or industrial insurance trust fund may be invested as authorized by law. [1985 House Joint Resolution No. 12, p 2398. Approved November 5, 1985.]

Prior amendment of Art. 29 Section 1, see Amendment 49.
Art. 29 Section 1 was later amended by Amendment 93.

Amendment 76

Article 8 was amended by adding the following section:

Art. 8 Section 11. Agricultural commodity assessments - Development, promotion, and hosting. The use of agricultural commodity assessments by agricultural commodity commissions in such manner as may be prescribed by the legislature for agricultural 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 5 of this article. [1985 House Joint Resolution No. 42, p 2402. Approved November 5, 1985.]

Amendment 77

Art. 4 Section 31. Commission on judicial conduct - Removal, censure, suspension, or retirement of judges or justices - Proceedings. There shall be a commission on judicial conduct consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons

admitted to the practice of law in this state selected by the state bar association, and four persons who are not attorneys appointed by the governor and confirmed by the senate.

The supreme court may censure, suspend, or remove a judge or justice for violating a rule of judicial conduct and may retire a judge or justice for disability which is permanent or is likely to become permanent and which seriously interferes with the performance of judicial duties. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease.

The supreme court shall specify the effect upon salary when disciplinary action other than removal is taken. The supreme court may not discipline or retire a judge or justice until the commission on judicial conduct recommends after notice and hearing that action be taken and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against a judge or justice.

Whenever the commission receives a complaint against a judge or justice, it shall first conduct proceedings for the purpose of determining whether sufficient reason exists for conducting a hearing or hearings to deal with the accusations. These initial proceedings shall be confidential, unless confidentiality is waived by the judge or justice, but all subsequent hearings conducted by the commission shall be open to members of the public.

Whenever the commission adopts a recommendation that a judge or justice be removed, the judge or justice shall be suspended immediately, with salary, from his or her judicial position until a final determination is made by the supreme court.

The legislature shall provide for commissioners' terms of office and compensation. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings. [1986 Senate Joint Resolution No. 136, p 1532. Approved November 4, 1986.]

Prior amendment of Art. 4 Section 31, see Amendment 71.
Art. 4 Section 31 was later amended by Amendment 85.

Amendment 78

Art. 28 Section 1. Salaries for legislators, elected state officials, and judges - Independent commission - Referendum. Salaries for members of the legislature, elected officials of the executive branch of state government, and judges of the state's supreme court, court of appeals, superior courts, and district courts shall be fixed by an independent commission created and directed by law to that purpose. No state official, public employee, or person required by law to register with a state agency as a lobbyist, or immediate family member of the official, employee, or lobbyist, may be a member of that commission.

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

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

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

The provisions of section 14 of Article IV, sections 14, 16, 17, 19, 20, 21, and 22 of Article III, and section 23 of Article II, insofar as they are inconsistent herewith, are hereby superseded. The provisions of section 1 of Article II relating to referendum procedures, insofar as they are inconsistent herewith, are hereby superseded with regard to the salaries governed by this section. [1986

Substitute House Joint Resolution No. 49, p 1529. Approved November 4, 1986.]

Prior amendment of Art. 28 Section 1, see Amendment 20.

Amendment 79

Art. 7 Section 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 percentum of the total votes cast in such taxing district in the last preceding general election: *Provided,* That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period and any proposition to levy an addi-

tional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years;

(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. [1986 House Joint Resolution No. 55, p 1530. Approved November 4, 1986.]

Prior amendment of Art. 7 Section 2, see Amendments 17, 55, 59, and 64. Art. 7 Section 2 was later amended by Amendments 90 and 95.

Amendment 80

Art. 4 Section 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. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement. [1987 Senate Joint Resolution No. 8207, p 2815. Approved November 3, 1987.]

Art. 4 Section 7 was later amended by Amendment 94.

Amendment 81

Art. 7 Section 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 an 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 thousand ($3,000.00) 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. [1988 House Joint Resolution No. 4222, p 1551. Approved November 8, 1988.]

Prior amendment to Art. 7 Section 1, see Amendment 14.

Amendment 82

Art. 8 Section 10. Residential energy conservation. Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or polit-

ical subdivision of the state which is engaged in the sale or distribution of energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of energy to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of energy in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another. [1988 House Joint Resolution No. 4223, p 1552. Approved November 8, 1988.]

Prior amendment to Art. 8 Section 10, see Amendment 70.
Art. 8 Section 10 was later amended by Amendments 86 and 91.

Amendment 83

Art. 6 Section 3. Who disqualified. All persons convicted of infamous crime unless restored to their civil rights and all persons while they are judicially declared mentally incompetent are excluded from the elective franchise.

Art. 13 Section 1. Educational, Reformatory, and Penal Institutions. Educational, reformatory, and penal institutions; those for the benefit of youth who are blind or deaf or otherwise disabled; for persons who are mentally ill or developmentally disabled; 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 ayes and noes, and entered upon the journal. [1988 House Joint Resolution No. 4231, p 1553. Approved November 8, 1988.]

Amendment 84

Art. 1 Section 35. Victims of crimes - Rights. Effective law enforcement depends on cooperation from victims of crime. To ensure victims a meaningful role in the criminal justice system and to accord them due dignity and respect, victims of crime are hereby granted the following basic and fundamental rights.

Upon notifying the prosecuting attorney, a victim of a crime charged as a felony shall have the right to be informed of and, subject to the discretion of the individual presiding over the trial or court proceedings, attend trial and all other court proceedings the defendant has the right to attend, and to make a statement at sentencing and at any proceeding where the defendant's release is considered, subject to the same rules of procedure which govern the defendant's rights. In the event the victim is deceased, incompetent, a minor, or otherwise unavailable, the prosecuting attorney may identify a representative to appear to exercise the victim's rights. This provision shall not constitute a basis for error in favor of a defendant in a criminal proceeding nor a basis for providing a victim or the victim's representative with court appointed counsel. [1989 Senate Joint Resolution No. 8200, p 2999. Approved November 7, 1989.]

Amendment 85

Art. 4 Section 31. Commission on judicial conduct. (1) There shall be a commission on judicial conduct, existing as an independent agency of the judicial branch, and consisting of a judge selected by and from the court of appeals judges, a judge selected by and from the superior court judges, a judge selected by and from the district court judges, two persons admitted to the practice of law in this state selected by the state bar association, and six persons who are not attorneys appointed by the governor.

(2) Whenever the commission receives a complaint against a judge or justice, or otherwise has reason to believe that a judge or justice should be admonished, reprimanded, censured, suspended, removed, or retired, the commission shall first investigate the complaint or belief and then conduct initial proceedings for the purpose of determining whether probable cause exists for conducting a public hearing or hearings to deal with the complaint or belief. The investigation and initial proceedings shall be confidential. Upon

beginning an initial proceeding, the commission shall notify the judge or justice of the existence of and basis for the initial proceeding.

(3) Whenever the commission concludes, based on an initial proceeding, that there is probable cause to believe that a judge or justice has violated a rule of judicial conduct or that the judge or justice suffers from a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties, the commission shall conduct a public hearing or hearings and shall make public all those records of the initial proceeding that provide the basis for its conclusion. If the commission concludes that there is not probable cause, it shall notify the judge or justice of its conclusion.

(4) Upon the completion of the hearing or hearings, the commission in open session shall either dismiss the case, or shall admonish, reprimand, or censure the judge or justice, or shall censure the judge or justice and recommend to the supreme court the suspension or removal of the judge or justice, or shall recommend to the supreme court the retirement of the judge or justice. The commission may not recommend suspension or removal unless it censures the judge or justice for the violation serving as the basis for the recommendation. The commission may recommend retirement of a judge or justice for a disability which is permanent or likely to become permanent and which seriously interferes with the performance of judicial duties.

(5) Upon the recommendation of the commission, the supreme court may suspend, remove, or retire a judge or justice. The office of a judge or justice retired or removed by the supreme court becomes vacant, and that person is ineligible for judicial office until eligibility is reinstated by the supreme court. The salary of a removed judge or justice shall cease. The supreme court shall specify the effect upon salary when it suspends a judge or justice. The supreme court may not suspend, remove, or retire a judge or justice until the commission, after notice and hearing, recommends that action be taken, and the supreme court conducts a hearing, after notice, to review commission proceedings and findings against the judge or justice.

(6) Within thirty days after the commission admonishes, reprimands, or censures a judge or justice, the judge or justice shall have a right of appeal de novo to the supreme court.

(7) Any matter before the commission or supreme court may be disposed of by a stipulation entered into in a public proceeding. The stipulation shall be signed by the judge or justice and the commission or court. The stipulation may impose any terms and conditions deemed appropriate by the commission or court. A stipulation shall set forth all material facts relating to the proceeding and the conduct of the judge or justice.

(8) Whenever the commission adopts a recommendation that a judge or justice be removed, the judge or justice shall be suspended immediately, with salary, from his or her judicial position until a final determination is made by the supreme court.

(9) The legislature shall provide for commissioners' terms of office and compensation. The commission shall employ one or more investigative officers with appropriate professional training and experience. The investigative officers of the commission shall report directly to the commission. The commission shall also employ such administrative or other staff as are necessary to manage the affairs of the commission.

(10) The commission shall, to the extent that compliance does not conflict with this section, comply with laws of general applicability to state agencies with respect to rule-making procedures, and with respect to public notice of and attendance at commission proceedings other than initial proceedings. The commission shall establish rules of procedure for commission proceedings including due process and confidentiality of proceedings. [1989 Substitute Senate Joint Resolution No. 8202, p 3000. Approved November 7, 1989.]

Prior amendment of Art. 4 Section 31, see Amendments 71 and 77.

Amendment 86

Art. 8 Section 10. Energy and water conservation assistance. Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water or energy may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water or energy to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use

of water or energy in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another. [1989 Senate Joint Resolution No. 8210, p 3003. Approved November 7, 1989.]

Prior amendment of Art. 8 Section 10, see Amendments 70 and 82.
Art. 8 Section 10 was later amended by Amendment 91.

Amendment 87

Art. 4 Section 6. Jurisdiction of superior courts. Superior courts and district courts have concurrent jurisdiction in cases in equity. The superior court shall have original jurisdiction 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 three thousand dollars or as otherwise determined by law, 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. [1993 House Joint Resolution No. 4201, p 3063. Approved November 2, 1993.]

Prior amendment of Art. 4 Section 6, see Amendments 28 and 65.

Amendment 88

Art. 1 Section 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 such of the state custodial, correctional, and mental institutions, or by a county's or public hospital district's hospital, health care facility, or hospice, 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. [1993 House Joint Resolution No. 4200, p 3062. Approved November 2, 1993.]

Prior amendment of Art. 1 Section 11, see Amendments 4, 34 and 88.

Amendment 89

Art. 4 Section 3. Election and terms of supreme court 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 supreme court shall select a chief justice from its own membership to serve for a four-year term at the pleasure of a majority of the court as prescribed by supreme court rule. The chief justice shall preside at all sessions of the supreme court. In case of the absence of the chief justice, the majority of the remaining court shall select one of their members to serve as acting chief justice. 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 occur in the office of a judge of the supreme court the governor shall only appoint a person to ensure the number of judges as specified by the legislature, 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. [**Amendment 89**, 1995 Substitute Senate Joint Resolution No. 8210, p 2905. Approved November 7, 1995.]

Amendment 90

Art. 7 Section 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 percent 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 au-

thorized 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 as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district 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 voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election: *Provided,* That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities may provide such support for a period not exceeding six years;

(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 voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies 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 voters voting on the proposition shall constitute not less than forty percent of the total number

of voters voting 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 preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [**Amendment 90,** 1997 House Joint Resolution No. 4208, p 3063. Approved November 4, 1997.]

Prior amendment of Art. 7 Section 2, see Amendments 17, 55, 59, 64 and 79. Art. 7 Section 2 was later amended by Amendment 95.

Amendment 91

Art. 8 Section 10. Energy, water, or stormwater or sewer services conservation assistance. Notwithstanding the provisions of section 7 of this Article, any county, city, town, quasi municipal corporation, municipal corporation, or political subdivision of the state which is engaged in the sale or distribution of water, energy, or stormwater or sewer services may, as authorized by the legislature, use public moneys or credit derived from operating revenues from the sale of water, energy, or stormwater or sewer services to assist the owners of structures or equipment in financing the acquisition and installation of materials and equipment for the conservation or more efficient use of water, energy, or stormwater or sewer services in such structures or equipment. Except as provided in section 7 of this Article, an appropriate charge back shall be made for such extension of public moneys or credit and the same shall be a lien against the structure benefited or a security interest in the equipment benefited. Any financing for energy conservation authorized by this article shall only be used for conservation purposes in existing structures and shall not be used for any purpose which results in a conversion from one energy source to another. [**Amendment 91,** 1997 House Joint Resolution No. 4209, p 3065. Approved November 4, 1997.]

Prior amendment of Art. 8 Section 10, see Amendments 70, 82 and 86.

Amendment 92

Art. 8 Section 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 (g) 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 pledge the full faith, credit, and taxing power of the state to guarantee the voter approved general obligation debt of school districts in the manner authorized by the legislature. Any such guarantee does not remove the debt obligation of the school district and is not state debt.

(f) 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 (h) 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.

(g) 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.

(h) 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.

(i) 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.

(j) 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.

(k) 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.

(l) 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. [**Amendment 92,** 1999 Senate Joint Resolution No. 8206, p 2387. Approved November 2, 1999.]

Prior amendment of Art. 8 Section 1, see Amendment 60.

Amendment 93

Art. 29 Section 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, industrial insurance trust fund, or fund held in trust for the benefit of persons with developmental disabilities may be invested as authorized by law. [**Amendment 93,** 2000 Senate Joint Resolution No. 8214, p 1919. Approved November 7, 2000.]

Prior amendment of Art. 29 Section 1, see Amendments 49 and 75.

Amendment 94

Art. 4 Section 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 or her duty to do so. A case in the superior court may be tried by a judge pro tempore either with the agreement of the parties if the judge pro tempore is a member of the bar, is agreed upon in writing by the parties litigant or their attorneys of record, and is approved by the court and sworn to try the case; or without the agreement of the parties if the judge pro tempore is a sitting elected judge and is acting as a judge pro tempore pursuant to supreme court rule. The supreme court rule must require assignments of judges pro tempore based on the judges' experience and must provide for the right, exercisable once during a case, to a change of judge pro tempore. Such right shall be in addition to any other right provided by law. However, if a previously elected judge of the superior court retires leaving a pending case in which the judge has made discretionary rulings, the judge is entitled to hear the pending case as a judge pro tempore without any written agreement. [**Amendment 94,** 2001 Engrossed Senate Joint Resolution No. 8208, p 2327. Approved November 6, 2001.]

Amendment 95

Art. 7 Section 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 percent 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 as follows:

(a) By any taxing district when specifically authorized so to do by a majority of at least three-fifths of the voters of the taxing district 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 voters voting "yes" on the proposition shall constitute three-fifths of a number equal to forty percent of the total number of voters voting in such taxing district at the last preceding general election when the number of voters voting on the proposition does not exceed forty percent of the total number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters of the taxing district voting on the proposition to levy when the number of voters voting on the proposition exceeds forty percent of the number of voters voting in such taxing district in the last preceding general election: *Provided,* That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools or fire protection districts may provide such support for a period of up to four years and any proposition to levy an additional tax to support the construction, modernization, or remodelling of school facilities or fire facilities may provide such support for a period not exceeding six years;

(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 major-

ity of at least three-fifths of the voters of the taxing district voting on the proposition to issue such bonds and to pay the principal and interest thereon by annual tax levies 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 voters voting on the proposition shall constitute not less than forty percent of the total number of voters voting 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 preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort. [**Amendment 95,** 2002 House Joint Resolution No. 4220, p 2203. Approved November 5, 2002.]

Prior amendment of Art. 7 Section 2, see Amendments 17, 55, 59, 64, 79, and 90.

Amendment 96

Art 2 Section 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 county legislative authority 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 or council 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 the members of the county legislative authority 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, ap-

point a person who shall be from the same legislative district, county, or county commissioner or council 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 or her successor is elected at the next general election, and has qualified: *Provided, That* in case of a vacancy occurring after the general election in a year that the office appears on the ballot and before the start of the next term, the term of the successor who is of the same party as the incumbent may commence once he or she has qualified and shall continue through the term for which he or she was elected: *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 legislative authorities 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 the members of the county legislative authority 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. [**Amendment 96**, 2003 House Joint Resolution No. 4206, p 2819. Approved November 4, 2003.]

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Art 24	sec 1—Amendment	No. 33
Art 27	sec 13—(repealed)	No. 74
Art 28	sec 1—(added)	No. 20
	sec 1—(part rep.)	No. 54
	sec 1—Amendment	No. 78
Art 29	sec 1—(added)	No. 49
	sec 1—Amendment	No. 75
	sec 1—Amendment	No. 93
Art 30	sec 1—(added)	No. 54
Art 31	sec 1—(added)	No. 61
	sec 2—(added)	No. 61
Art 32	sec 1—(added)	No. 73

(3) Amendments amended or repealed:

Amendment 1	amended by Amendment 44
Amendment 2	amended by Amendment 5
Amendment 4	amended by Amendments 34 and 88
Amendment 5	amended by Amendment 63
Amendment 7	amended by Amendments 26, 30, 36, and 72
Amendment 12	amended by Amendment 57
Amendment 13	amended by Amendments 32 and 52
Amendment 14	amended by Amendment 81
Amendment 17	amended by Amendments 55, 59, 64, 79, 90 and 95
Amendment 20	part rep. by Amendment 54 amended by Amendment 78
Amendment 23	amended by Amendment 58
Amendment 24	repealed by Amendment 42
Amendment 28	amended by Amendments 65 and 87
Amendment 29	repealed by Amendment 42
Amendment 30	stricken by Amendment 72
Amendment 31	part rep. by Amendment 54
Amendment 32	amended by Amendment 52
Amendment 34	amended by Amendment 88
Amendment 35	part rep. by Amendment 54
Amendment 48	amended by Amendment 60
Amendment 49	amended by Amendment 75 and 93
Amendment 55	amended by Amendments 59, 64, 79, 90 and 95
Amendment 59	amended by Amendments 64, 79, 90 and 95

Amendment 60 amended by Amendment 92
Amendment 64 amended by Amendments 79, 90 and 95
Amendment 70 amended by Amendments 82, 86 and 91
Amendment 71 amended by Amendments 77 and 85
Amendment 75 amended by Amendment 93
Amendment 77 amended by Amendment 85
Amendment 79 amended by Amendment 90 and 95
Amendment 80 amended by Amendment 94
Amendment 81 amended by Amendments 86 and 91
Amendment 82 amended by Amendment 86
Amendment 86 amended by Amendment 91
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Sources of the Washington State Constitution

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:

State Constitution or Proposed Draft	Identical Section	Similar Section
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.
XIII	Taken from Colo. Const.; prop. Const. of 1878 [Identical in Part.] Ohio Const.
XIV-XV	Taken from Hill with some changes.
XVI	Various jurisdictions.
XVII	Hill, Enabling Act, and Proposed Constitution of 1876.
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.

Titles not consistent: XVII, Hill listed first. XXI, Hill listed last-no "and." XXII, Hill listed last following "and."

Comparisons to Washington Constitution of 1889

This comparison is with earlier constitutions of other states containing similar or identical provisions to the Washington Constitution.

Article I - Declaration of Rights

Section 1 - Political Power

Hill's Proposed Const.,[1] Art. I, Sec. 1; Oregon Const. 1857, Art. I, Sec. 1: — In substance.

See also Declaration of Independence.

[1]Subsequent references to Hill refer to Hill's Proposed Code.

Section 2 - Supreme Law

Hill, Art. I, Sec. 2; U.S. Const., Art. VI, Sec. 2. — Identical in part.

Section 3 - Due Process of Law

U.S. Const., Amend. V — Identical.[3]

Ore. Const. 1857, Art. I, Sec. 10 (Hill, Art. I, Sec. 8, identical with Ore.). — In substance.

[3]Identical - The word identical is used to denote the exact phraseology in whole or in part.

Section 4 - Right of Petition

U.S. Const. Amend.[1] — Identical.

Section 5 - Free Speech Guaranteed

Cal. Const. 1879, Art. I, Sec. 8. — Almost identical

Ore. Const. 1857, Art. I, Sec. 8 (Ind. Const. 1851, Art. I, Sec. 9, and Hill, Art. I, Sec. 5, identical with Ore.). — Similar.[2]

[2]Similar - The word similar is used to denote either a partial resemblance or sameness in all essential parts.

Section 6 - Oaths

Ore. Const. 1857, Art. I, Sec. 7 (Ind. Const. 1851, Art. I, Sec. 8: and Hill, Art. I, Sec. 4: identical with Ore.). — Identical.

Section 7 - Private Affairs Sacred

Ore. Const. 1857, Art. I, Sec. 9 (Hill, Art. 8, Sec. 7, and U.S. Const. Amend. IV, identical with Ore.).	Similar.

Section 8 - Irrevocable Franchise or Immunity

Ore. Const. 1857, Art. I, Sec. 20 (Ind. Const. 1851, Art. I, Sec. 23, and Hill, Art. I, Sec. 22, identical with Ore.).	Similar.

Section 9 - Former Jeopardy

Ore. Const. 1857, Art. I, Sec. 12 (Hill, Art. I, Sec. 12, identical with Ore.); U.S. Const. Amend. V.	Similar.

Section 10 - Open Court; Early Trial

Ore. Const. 1857, Art. I, Sec. 10 (Hill, Art. I, Sec. 8, identical with Ore.); Ind. Const. 1851, Art. I, Sec. 12.	Similar.

Section 11 - Religious Liberty

Ore. Const. 1857, Art. I, Secs. 2-6; 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.	Similar.

Section 12 - Special Privileges Shall Not Be Granted

Ore. Const. 1857, Art. I, Sec. 20 (Hill, Art. I, Sec. 22; Ind Const. 1851, Art. I, Sec. 23, identical with Ore.).	Identical except that Wash. inserts the word "corporation."

Section 13 - Suspension of Writ of Habeas Corpus

Ore. Const. 1857, Art. I, Sec. 23 (Hill, Art. I, Sec. 25, identical with Ore.)	Identical.
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 (Hill, Art. I, Sec. 16, identical with Ore.).	Similar. Ore. adds "but all penalties shall be proportioned to the offense. In all criminal cases whatever, the jury shall have the right to determine 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. 9th Amend. changes this slightly.	Similar.

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. 1, 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 (Hill, Art. I, Sec. 23, identical with Cal.).	Identical.
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 (Hill, Art. I, Sec. 10, almost identical with Cal.).	Similar.

Section 26 - Grand Jury

. . . . .	Probably original.

Section 27 - Treason Against State

Ore. Const. 1857, Art. I, Sec. 24 (Hill, Art. I, Sec. 26; Ind. Const. 1851, Art. I, Secs. 28, 29 identical with Ore.).	Identical except that Wash. adds an additional conjunction "or."
U.S. Const. Art. I, Sec. 3.	Identical.

Section 28 - No Hereditary Privilege to be Granted

Ore. Const. 1857, Art. I, Sec. 29 (Ind. Const. 1851, Art. I, Sec. 35 identical). Cf. U.S. Const., Art. I, Sec. 9.	Similar in substance.

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., Amendment IX.	Identical except that U.S. Const. adds words "or disparage."
Cal. Const. 1879, Art. I, Sec. 23; Ore. Const. 1857, Art. I, Sec. 25 (Iowa Const. 1846, Sec. 24; Hill, Art. I, Sec. 31, identical).	Similar.

Section 31 - Standing Army

Ore. Const. 1857, Art. I, Sec. 29 (Hill, Art. I, Sec. 18; U.S. Const. Amend. III, identical with Ore.).	Identical except that Wash. adds the first clause not found in the others.

Section 32 - Fundamental Principles Essential to Security

Wis. Const. 1848, Art. I, Sec. 22; N.H. Const. 1792, Sec. 38; Ill. Const. 1870, Art. II, Sec. 20.	Similar.

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; Hill, Art. IV, Sec. 1; Mich. Const. 1850, Art. IV, Sec. 3.	Similar. Wash. places enacting a clause in a separate section.

7th Amend. adds Initiative and Referendum.

Section 2 - Limited Membership

Wis. Const. 1848, Art. IV, Sec. 2.	Similar.

Section 3 - State Census

[4]Wash. Const. 1878, Art. IV, Sec. 3.	Identical except for last three words "in active service."
Wis. Const. 1848, Art. IV, Sec. 3; 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.	Similar.
Mich. Const., 1850, Art. IV, Sec. 3; Neb. Const. 1875, Art. III, Sec. 2.	Very Similar.

[4]Washington Constitution 1878, proposed only.

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, as amended 1881.	Similar.

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. I, 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.	Similar in part.
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. 13th Amendment changes this slightly.	Identical.

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; Cal. Const. 1879, Art. IV, Sec. 15; Wis. Const. 1848, Art. IV, Sec. 17.	Identical.
	(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; Cal. Const. 1879, Art. IV, Sec. 24.	Similar.

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 except that Const. 1878 adds "the sale of lottery tickets shall be prohibited by law."

Divorce

Wash. Const. 1878, Art. VI, Sec. 22. — Identical.

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 Wis. inserts phrase "to be made."

(Wash. Const. 1878, Art. VI, Sec. 32, identical with Wis.).

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."

4

Same, Cl. 4. — Identical.

5

Same, Cl. 6. — Identical.

6

Same, Cl. 7. — Identical except that Wis. inserts words "except to cities."

7	
Same, Cl. 8.	Identical.
8	
Same, Cl. 9.	Identical.
9	
Cal. Const. 1879, Art. IV, Sec. 25, Cl. 14.	Identical.
10	
Same, Cl. 16. (Hill, Art. IV, Sec. 28, Cl. 16, identical with Cal.)	Identical.
11	
Same, Cl. 17. (Hill, Art. IV, Sec. 28, Cl. 17, identical with Cal.)	Identical.
12	
Same, Cl. 18. (Hill, Art. IV, Sec. 28, Cl. 18, identical with Cal.)	Identical.
13	
Same, Cl. 23. (Wash. Const. 1878, Art. VI, Sec. 17, Cl. 13, identical with Cal.)	Identical.
14	
Same, Cl. 26. (Hill, Art. IV, Sec. 28, Cl. 25; Wash. Const. 1878, Art. VI, Sec. 17, Cl. 17, identical with Cal.)	Identical.
15	
Same, Cl. 27. (Hill, Art. IV, Sec. 28, Cl. 26; Wash. Const. 1878, Art. VI, Sec. 17, Cl. 12, identical with Cal.)	Identical.
16	
Same, Cl. 31. (Hill, Art. IV, Sec. 28, identical with Cal.)	Identical except that Wash. omits word “legitimation.”

17

Same, Cl. 32. (Hill, Art. IV, Sec. 28, Cl. 30, identical with Cal.)	Identical.

18

Same, Cl. 21. (Hill, Art. IV, Sec. 28, Cl. 20, identical with Cal.)	Similar.
Wis. Const. 1848, Amend. Art. IV, Sec. 31, Cl. 5 (1871).	Very similar. However neither of the above contain the Wash. proviso relative 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. 39.	Identical except that Wash. has omitted a few words.
Ore. Const. 1857, Art. IV, Sec. 28; Colo. Const. 1876, Art. V, Sec. 19 (Wash. Const. 1878, Art. VI, Sec. 14, identical with Colo.); Hill, Art. IV, Sec. 27.	Similar.

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; Ohio Const. 1851, Art. II, Sec. 35; Ark. Const. 1874, Art. XIX, Sec. 18; Colo. Const. 1876, Art. XVI, Sec. 2.	Similar.

Section 36 - Introduction of Bills Limited

Colo. Const. 1876, Art. V, Sec. 19; Md. Const. 1867, Art. III, Sec. 27; Minn. Const. 1857, Art. IV, Sec. 1; Neb. Const. 1875, Art. III, Sec. 4.	Similar.

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. Repealed by the 6th Amendment.	Similar, although they do not provide for lieutenant-governor. The idea of the office of the lieutenant-governor probably came from Cal. or Wis.

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 - Governor Shall Issue All Commissions

Ore. Const, 1857, Art. V, Sec. 8 (Hill, Art. V, Sec. 18; Ind. Const. 1851, Art. XV, Sec. 6, identical with Ore.).	Identical.

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 (Hill, Art. V, Sec. 20, identical with Ore.).	Identical.

Section 19 - Duties of State Treasurer

Ore. Const. 1857, Art. VI, Sec. 4 (Hill, Art. V, Sec. 21, identical with Ore.).	Identical.
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; Wash. Const. 1878, Art. IX, Sec. 1.	Similar.

Section 25 - Eligibility to State Office

Wis. Const. 1848, Art. V, Sec. 2; Ill. Const. 1870, Art. VII, Sec. 6; Colo. Const. 1876, Art. VII, Sec. 6.	Similar in part.

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 (Hill, Art. VI, Sec. 6, identical with Cal.).	Identical except for a few word changes.

Section 7 - Judges May Hold Court in Any County

Cal. Const. 1879, Art. VI, Sec. 8 (Hill, Art. VI, Sec. 7, identical with Cal.).	Identical.

Pro Tempore Judges

Cal. Const. 1879, Art. VI, Sec. 8.	Identical except that Wash. requires selection of pro tempore judge to be approved by court.

Section 8 - Leave of Absence of Judges

Cal. Const. 1879, Art. VI, Sec. 9 (Hill, Art. VI, Sec. 8, identical with Cal.).	Identical with the exception of the proviso, which seems to be original.

Section 9 - Removal of Judges

Cal. Const. 1879, Art. VII, Sec. 10; Hill, Art. VI, Sec. 8; Wis. Const. 1848, Art. VII, Sec. 13.	Similar.

Section 10 - Justice of Peace

Cal. Const. 1879, Art. VI, Sec. 11; Hill, Art. VI, Sec. 8.	Similar.

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 constitutions 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 (Hill, Art. VI, Sec. 17, identical with Cal.).	Identical.

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 (Hill, Art. VI, Sec. 26, identical with Cal.).	Identical except that Wash. omits phrase "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. 14; Wis. Const. 1848, Art. VII, Sec. 23; Minn. Const. 1857, Art. VI, Sec. 15.	Similar.

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. 27; Ill. Const. 1870, Art. VI, Sec. 31.	Similar.

Section 26 - Clerk Superior Court

Cal. Const. 1879, Art. VI, Sec. 14 (Hill, Art. VI, Sec. 21, identical with Cal.).	Similar.

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. 1857, Art. VI, Sec. 21.	Similar.

Article V - Impeachment

Section 1 - Proceedings

Colo. Const. 1876, Art. V, Sec. 1; Nev. Const. 1864, Art. VII, Sec. 1.	Identical.

Section 2 - Impeachable Offenses

Colo. Const. 1876, Art. V, Sec. 2; Nev. Const. 1864, Art. VII, Sec. 2. — Identical except for a slight word change.

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; 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 suffrage.") — Similar.

Section 2 - In School Elections

Colo. Const. 1876, Art. VII, Sec. 1. (Repealed by 5th Amendment.) — Similar.

Section 3 - Certain Persons Not Electors

Wis. Const. 1848, Art. III, Sec. 2; Ore. Const. 1857, Art. II, Sec. 3. — Similar.

Section 4 - Residence Not Gained or Lost by Military Service

Colo. Const. 1876, Art. VII, Sec. 4; Penn. Const. 1873, Art. VIII, Sec. 13; Nev. Const. 1864, Art. II, Sec. 2. — Identical except that Wash. adds last sentence.

In Navigation

Mo. Const. 1875, Art. VIII, Sec. 7; Penn. Const. 1873, Art. VIII, Sec. 13; Nev. Const. 1864, Art. II, Sec. 2. — Identical.

Section 5 - Immunity from Arrest

Mo. Const. 1875, Art. VIII, Sec. 4; Colo. Const. 1876, Art. VII, Sec. 5; Ore. Const. 1857, Art. II, Sec. 13. — Identical except for slight transposition of words. Wash. adds last sentence.

Military Service on Day of Election

Ore. Const. 1857, Art. II, Sec. 13; Neb. Const. 1875, Art. VII, Sec. 5.	Identical.

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. I, Sec. 4 (1882); Wash. Const. 1878, Art. IV, Sec. 9.	Similar.
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; 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. — Similar in parts.

Section 2 - Uniform and Equal Rate of Taxation

Ore. Const. 1857, Art. IX, Sec. 1; 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. (3rd Amendment included as the last proviso of this section, $300 personal property exemption.) — Similar in parts.

Section 3 - Assessment of Corporation Property

Colo. Const. 1876, Art. X, Sec. 10; (Wash. Const. 1878, Art. XII, Sec. 6, identical with Colo.). — Similar.

Section 4 - Same

Tex. Const. 1876, Art. VIII, Sec. 4. — Identical.

Ga. Const. 1877, Art. VII, Sec. 5; 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.) — Similar.

Section 5 - No Tax Except in Pursuance of Law

Ore. Const. 1857, Art. IX, Sec. 3 (Hill, Art. VII, Sec. 3, identical with Ore.). — Identical.

Section 6 - All Taxes to be Paid in Money

. . . . . — Original.

Section 7 - Statement of Receipts and Expenditures

Ore. Const. 1857, Art. IX, Sec. 5 (Ind. Const. 1851, Art. X, Sec. 4; Hill, Art. VII, Sec. 5, identical with Ore.). — Identical.

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. (11th Amendment changes this section slightly.)	Similar in part. Most constitutions contain this provision. The remainder of the Wash. section seems to be original.

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; Hill, Art. VIII, Sec. 3; Wash. Const. 1878, Art. XI, Sec. 4.	Similar.

Section 4 - School 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 (Hill, Art. IX, Sec. 1, identical with Ore.); Colo. Const. 1876, Art. XVII, Sec. 1.	Similar. This provision in varying forms is common to many constitutions.

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; Ala. Const. 1867, Art. XI, Sec. 5.	Very similar.

Section 6 - Exemption from Military Duty

Colo. Const. 1876, Art. XVII, Sec. 5; Ill. Const. 1870, Art. XII, Sec. 6.	Identical.

Article XI - County, City and Township Organization

Section 1 - County Organization Recognized

Cal. Const. 1879, Art. XI, Sec. 1 (Hill, Art. XI, Sec. 1, identical with Cal.).	Similar.

Section 2 - Removal of County Seats

Ill. Const. 1870, Art. X, Sec. 4; Mo. Const. 1875, Art. IX, Sec. 2; Cal. Const. 1879, Art. XI, Sec. 2.	Very similar.

Section 3 - Organization of New Counties

Ill. Const. 1870, Art. X, Sec. 1.	Identical except for number of inhabitants.
Cal. Const. 1879, Art. XI, Sec. 3; Mo. Const. 1875, Art. IX, Secs. 3 and 4.	Similar.

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; Mo. Const. 1875, Art. IX, Sec. 3.	Similar.

Section 4 - System of County Government

Cal. Const. 1879, Art. XI, Sec. 4.	Identical.
Ill. Const. 1870, Art. X, Sec. 5; Mo. Const. 1875, Art. IX, Sec. 8.	Similar.

Section 5 - County Officers, Compensation of

Cal. Const. 1879, Art. XI, Sec. 5. (12th Amendment changed this section slightly.)	Identical except for slight word change.

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; Mo. Const. 1875, Art. IX, Sec. 11.	Similar in substance.

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 public 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 containing 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 exception.

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; Ohio Const. 1851, Art. XIII, Sec. 3 (Ala. Const. 1876, Art. XIII, Sec. 8, identical with Ohio).	Similar.

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.). — Similar.

Section 12 - Insolvent Banks Shall Not Receive Deposits

Mo. Const. 1875, Art. XII, Sec. 17 (La. Const. 1879, Art. 241, identical with Mo.). — Similar.

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. — Similar.

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.). — Similar in part.

Section 16 - Shall Not Consolidate

Ill. Const. 1870, Art. XI, Sec. 11; 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. — Similar in part.

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. — Very similar.

Section 18 - Regulation of Fares and Freight

Ill. Const. 1870, Art. XI, Sec. 15; Ark. Const. 1874, Art. XVII, Sec. 10; Tex. Const. 1876, Art. X, Sec. 2. — Similar.

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; 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

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. 32.	Similar.

Section 2 - Practice of Medicine

Tex. Const. 1876, Art. XVI, Sec. 31.	Similar.

Article XXI - Water and Water Rights

Section 1 - Water Rights

Cal. Const. 1879, Art. XIV, Sec. 1; Colo. Const. 1876, Art. XVI, Sec. 5.	Similar.
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. Const. 1859, Art. X, Sec. 3; Ore. Const. 1859, Art. XVIII, Sec. 5.	A number of state constitutions contain somewhat similar provisions.

Section 2 - First Apportionment Representative District

Hill, Art. Schedule, Sec. 16; Kan. Const. 1859, Art. X, Sec. 3; Ore. Const. 1859, Art. XVIII, Sec. 5.	Similar. Portion now obsolete by statute.

Article XXIII - Amendments

Section 1 - State Constitution, How Amended

Wash. Const. 1878, Art. XVI, Sec. 1.	Identical except Wash. requires publication.
Cal. Const. 1879, Art. XVIII, Sec. 1; Hill, Const. Art. XVIII, Sec. 1.	Similar.
Ore. Const. 1857, Art. XVII, Sec. 1 (Ind. Const. 1851, Art. XVI, Sec. 1, almost identical to Ore.).	Numerous state constitutions contain provisions similar in varying detail.

Section 2 - Convention to Amend, How Called

Wash. Const. 1878, Art. XVI, Sec. 2.	Identical.
Cal. Const. 1879, Art. XVIII, Sec. 2.	Similar.

Section 3 - Voters Must Ratify

Wash. Const. 1878, Art. XVI, Sec. 3.	Identical.

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. 2; U.S. Const., Art. I, Sec. 8, Par. 17.	In substance.

Article XXVI - Compact with the United States

Section 1 - Religious Toleration

Wash. Enabling Act, Sec. 4, Par. 1.	Identical.

Section 2 - Rights to Appropriated Public Lands Disclaimed

Wash. Enabling Act, Sec. 4, Par. 2.	Identical.

Section 3 - Debts of Territory Assumed

Wash. Enabling Act, Sec. 4, Par. 3. Identical.

Section 4 - System of Public Schools Guaranteed

Wash. Enabling Act, Sec. 4, Par. 4. Identical.

Article XXVII - Schedule

Section 1 - Existing Rights Preserved

Schedule, Wash. Const. 1878, Sec. 1. Similar.

Section 2 - Laws of Territory Valid

Schedule, Wash. Const. 1878, Sec. 2. Identical except Wash. Const. 1889 adds proviso.

Section 3 - Debts of Territory Valid

Schedule, Wash. Const. 1878, Sec. 3. Identical.

Section 4 - Recognizances of Territory Valid

Schedule, Wash. Const. 1878, Sec. 4. Identical.

Section 5 - Penal Actions

Schedule, Wash. Const. 1878, Sec. 4. Identical.

Section 6 - Public Officers

Schedule, Wash. Const. 1878, Sec. 5. Identical.

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. 6. Identical except for slight word change.

Section 9 - Court Seals

Schedule, Wash. Const. 1878, Sec. 8. Identical except for slight word change.

Section 10 - Probate Court Transferred to Superior Court

Schedule, Wash. Const. 1878, Sec. 9. Identical except for slight word change.

Section 11 - Election of Officers Not Otherwise Provided for

Schedule, Wash. Const. 1878, Sec. 10. Identical.

Section 12 - Contests at First Election

Schedule, Wash. Const. 1878, Sec. 11.	Identical except for slight word change.

Section 13 - Representatives in Congress

Schedule, Wash. Const. 1878, Sec. 13.	Identical.

Section 14 - District, County Precinct Officers Hold Office Until 1891

Schedule, Wash. Const. 1878, Sec. 5.	Similar.

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. 20.	Similar.

Section 18 - Form of Ballot

Separate Articles Wash. Const. 1878, Arts. 1, 3 (Arts. 2 and 4 are new).	Similar.

Section 19 - Appropriation Authorized to Pay any Deficiency

. . . . .	Original.

Joint Rules of the Senate and the House of Representatives

Fifty-ninth Legislature
2005 – 2006

Joint Rule No.

Rule 1 Ethics.
Rule 2 Prohibited political activity.
Rule 3 Employee protection.
Rule 4 Legislative questionnaires.
Rule 5 Sessions of the legislature.
Rule 6 Joint session.
Rule 7 Motions for joint session.
Rule 8 Business limited.
Rule 9 Joint legislative committees.
Rule 10 Joint committee hearings.
Rule 11 Joint and concurrent resolutions: Memorials.
Rule 12 Amendatory bills.
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Ethics

Rule 1. Legislators and legislative employees are subject to the provisions of the Ethics in Public Service Act, chapter 42.52 RCW. The house of representatives and senate may impose disciplinary action for violations of the act. Disciplinary actions for violation include: In the case of a legislator, reprimand, censure, or expulsion, and when applicable, restitution; and in the case of a legislative employee, reprimand, suspension, or dismissal, and when applicable, restitution.

Prohibited Political Activity

Rule 2. (1) A legislator shall not knowingly solicit, directly or indirectly, a political contribution from a legislative employee.

(2) A legislative employee shall not knowingly solicit or accept contributions for any candidate or political committee during working hours. At no time shall a legislative employee directly or indirectly solicit a contribution from another legislative employee for any legislative candidate, caucus political committee, or leadership political committee, nor coerce another employee into making a contribution to any candidate or political committee. No legislative employee, as a condition of becoming or remaining employed, may directly or indirectly be required to make any contribution to a political candidate, committee, or party.

Employee Protection

Rule 3. No retaliation shall be permitted against any legislative employee for reporting in good faith the violation of any policy or law.

Legislative Questionnaires

Rule 4. (1) The use of public funds by a legislator for questionnaires distributed by regular mail or electronic means is authorized only if the following criteria are met:

(a) The questionnaire is limited to soliciting opinions or facts relating to legislative issues or studies;

(b) The questionnaire is specifically authorized by the legislator and the identity of the legislator sponsoring the questionnaire is disclosed on the questionnaire; and

(c) The questionnaire complies with all other pertinent statutes, rules, and policies, including the restrictions in subsection (2) of this rule on when questionnaires can be mailed.

(2) (a) During the twelve-month period beginning on December 1st of the year before a general election for a legislator's election to office and continuing through November 30th immediately after, mass mailing by regular or electronic means of a questionnaire is allowed only if it is included in the identical newsletter to constituents permitted at the beginning of a legislative session under RCW 42.52.185.

(b) In any year in which a legislator is a candidate for another public office, no questionnaire may be sponsored by or authorized on behalf of such legislator during the period between June 1st and the general election of that year, or in the event of a special election, during the period between sixty days before the election or the date of the legislator's filing for the office, whichever occurs later, and the special election

(3) The use of public funds by a legislative committee, for questionnaires distributed by regular mail or electronic means, is authorized only if the following criteria are met:

(a) The questionnaire is limited to soliciting opinions or facts relating to legislative issues or studies;

(b) The questionnaire is authorized by the committee membership and the identity of the committee sponsoring the questionnaire is disclosed on the questionnaire;

(c) The questionnaire complies with all other pertinent statutes, rules, and policies; and

(d) The questionnaire is approved by the secretary of the senate or the chief clerk of the house of representatives, as appropriate.

Sessions of the Legislature

Rule 5. The sessions of the legislature shall be held annually, convening at 12:00 o'clock noon on the second Monday of January each year, as provided by RCW 44.04.010 in accordance with Art. 2, section 12 of the state Constitution.

Joint Session

Rule 6. 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 of representatives 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 sessions. The lieutenant governor in no case shall have the right to give the deciding vote.

Motions for Joint Session

Rule 7. 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 8. No business shall be considered in joint session other than that which may be agreed upon before the joint session is called.

Joint Legislative Committees

Rule 9. Joint legislative committees may be created by concurrent resolution originating in either house and passed by a majority vote of both houses.

Joint legislative committees may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a joint legislative committee may issue any process, the committee chairperson shall submit for approval of both the executive rules committee of the house of representatives and the rules committee of the senate, a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by both the executive rules committee of the house of representatives and the rules committee of the senate. The process shall be limited to the named individuals.

Joint Committee Hearings

Rule 10. All public hearings held by joint committees or held jointly by house of representatives and senate standing committees shall be scheduled in accordance with the public notice requirements of both the senate and the house of representatives.

Joint and Concurrent Resolutions; Memorials

Rule 11. All memorials and resolutions from the legislature addressed to the President of the United States, to the Congress or either house thereof, to any other branch of the Federal government, to any other branch of state government, or to any unit of local 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, amendments to redistricting plans submitted by a redistricting commission created under chapter 44.05 RCW, adopting or amending joint rules, creating or empowering joint committees, opening and closing business of the legislature and all such related matters shall be in the form of concurrent resolutions. 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. Concurrent resolutions amending a redistricting plan submitted by a redistricting commission, authorizing investigations or authorizing the expenditure or allocation of any money must be adopted by roll call, and the yeas and nays recorded in the journal. Concurrent resolutions amending a redistricting plan as well as all amendments to those resolutions must be agreed to by two-thirds of the members elected or appointed to each house.

Amendatory Bills

Rule 12. 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.

Bills, How Drawn

Rule 13. Bills introduced in either house intended to amend existing statutes shall have the words which are amendatory to such ex-

isting 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.

Sections of a bill that repeal a prior enactment shall include the section caption accompanying the section in the Revised Code of Washington.

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 of Representatives. 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 14. 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 15. 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 as soon as possible before the election at which they are to be voted upon. (Const., art. 2, sec. 1e.)

Initiative Petition Before the Legislature

Rule 16. 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 its 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 of representatives will certify, each for its own body, to the secretary of state the action taken. (Const., art. 2, sec. 1a.)

Conference Committee

Rule 17. (1) In every case of difference between the two houses, upon any subject of legislation, either house may request a conference and appoint a committee for that purpose, and the other house may grant the request for a conference and appoint a committee to confer. The presiding officer of each house shall appoint on each conference committee three members, selecting them so as to represent, in each case, the majority and minority positions to the extent possible as relates to the subject matter, and the majority and minority caucuses. The committees, at the earliest possible hour, shall confer upon the differences between the two houses indicated by the amendment or amendments adopted in one house and rejected in the other.

(2) Conference committee deliberations shall be conducted in a manner consistent with the provisions of Senate Rule 45(3) and House Rule 24(8) applicable to deliberations of standing committees.

(3) Public notice of a conference committee meeting shall be given by the secretary of the senate, for house bills, and the chief clerk of the house of representatives, for senate bills, prior to the convening of the meeting as follows:

(a) By posting a written notice in the following locations:
  (i) The office of the secretary or clerk, as appropriate;
  (ii) Near the doors of the appropriate chamber;
  (iii) The legislative bill room; or
  (iv) The public legislative message center;

(b) By announcing meetings during sessions of the senate and house of representatives; or

(c) By posting meeting notices on the legislature's electronic mail system.

(4) The papers shall be left with the conferees of the house of representatives if a senate bill, and with the conferees of the senate, if a house bill, and the holders of the papers shall first present the report of the committee to their house. Every report of a conference committee must have the signatures of a majority of the conference committee members of each house. Conference committee reports must be signed at a meeting duly convened by the chief clerk of the house of representatives for senate bills or the secretary of the senate for house bills.

Failure to Agree

Rule 18. In case of failure of the conferees to agree on matters directly at issue between the two houses, the committee may in addition consider new proposed items within the scope and object of the bill in conference. A report proposing new items shall include all amendments to the bill or resolution agreed upon by the conference committee. The proposed report may be in the form of a new bill or resolution and such report must have the signatures of a majority of the members of the committee appointed from each house.

Report of Conference Committee, How Made Out; Whom Returned to

Rule 19. The conference committee shall submit the bill as amended together with three signed copies of its report to the house of representatives if a senate bill, and to the senate, if a house bill. A copy of the report shall be placed upon the desk of each member of the legislature at the time the report is received by this house. If this house acts to approve the report and pass the bill as amended, it shall then transmit its action, the bill, and two copies of the report to the other house.

Adoption of Reports

Rule 20. No floor vote may be taken on any conference committee report without a distribution to all members of a summary of additions, changes, and deletions made by the 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. The clerk and the secretary shall place the reports on the desks of the members as soon as possible.

Each house shall have twenty-four hours from the time of proper receipt, by the chief clerk of the house of representatives and the secretary of the senate, and by distribution to the desks of the members before considering reports from a conference committee which has proposed new items within the scope and object of the bill in conference.

The foregoing provision relating to twenty-four hour intervals may be suspended by the senate or the house of representatives by two-thirds vote of the members present, and such suspension shall apply only to the house voting to suspend this provision.
The report must be voted upon in its entirety and cannot be amended. The report of a conference committee may be adopted by acclamation.

Passage of a bill as amended by conference report shall be by roll call and ayes and nays shall be entered on the journals of the respective house. Passage requires a constitutional majority in both houses, except in the case of constitutional amendments, which require a two-thirds vote.

Messages Between the Two Houses

Rule 21. Messages from the senate to the house of representatives shall be delivered by the secretary or the secretary's designee, and messages from the house of representatives to the senate shall be delivered by the chief clerk or the chief clerk's designee.

Bills to be Engrossed

Rule 22. Any bill amended in the house of its origin shall be engrossed before being transmitted to the other house. The secretary or clerk of the receiving house, as the case may be, may waive the right to receive an engrossed bill.

Final Action on Bills, How Communicated

Rule 23. 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.

Enrolled Bills - Presiding Officer to Sign

Rule 24. After a bill shall have passed both houses and all amendments have been 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 of representatives shall present the original bill to the governor for signature.

Disposition of Enrolled Bills

Rule 25. 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.

Adjournment

Rule 26. 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 27. Adjournment sine die shall be made only by concurrent resolution.

Each House Judge of Its Own Membership

Rule 28. 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. (Const., art. 2, sec. 8.)

Convening Special Legislative Sessions

Rule 29. The legislature may convene a special legislative session as follows:

(1) A resolution calling for convening a special legislative session shall set forth the date and time for convening the session, the duration of the session which shall not exceed thirty days, together with the purpose or purposes for which such session is called. Members of the house of representatives or senate may present a proposed resolution for the convening of a special legislative session to the committee on rules of their respective houses.

(2) The authority to place a resolution convening a special legislative session before the legislature is vested in the committee on rules of the house of representatives and the committee on rules of the senate.

(3) Upon a majority vote of both the committee on rules of the house of representatives and the committee on rules of the senate in favor of a resolution convening a special legislative session, a vote of the house of representatives and senate shall be taken on such resolution.

(4) The chief clerk of the house of representatives and the secretary of the senate shall conduct the vote on the resolution by written ballot of the members of their respective houses under such procedures as may be ordered by the committee on rules of their house. The results of such vote shall be transmitted to the members of the legislature and shall be a public record and shall be entered upon the journal of the house of representatives and senate at the convening of the next legislative session.

(5) If two-thirds of the members elected or appointed to each house vote in favor of the resolution, then a special legislative session shall be convened in accordance with the resolution. (Const., art. 2, sec. 12.)

Amendments to Joint Rules

Rule 30. 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 to Apply for Biennium

Rule 31. The permanent joint rules adopted by the legislature shall govern any session called during the same legislative biennium.

The Senate

Fifty-ninth Legislature
Olympia

2005 – 2006

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Officers

Lieutenant Governor Brad Owen
President of the Senate

Senator Rosa Franklin
President Pro Tempore

Senator Paull Shin
Vice President Pro Tempore

Thomas Hoemann
Secretary of the Senate

Brad Hendrickson
Deputy Secretary of the Senate

Jim Ruble
Sergeant At Arms

Senate Caucus Officers

2005 – 2006

Democratic Caucus

Majority Leader . . . . . Lisa Brown
Majority Caucus Chair . . . . . Harriet A. Spanel
Majority Floor Leader . . . . . Tracey J. Eide
Majority Whip . . . . . Debbie Regala
Majority Caucus Vice Chair . . . . . Pat Thibaudeau
Majority Assistant Floor Leader . . . . . Phil Rockefeller
Majority Assistant Whip . . . . . Brian Weinstein

Republican Caucus

Republican Leader . . . . . Bill Finkbeiner
Republican Caucus Chair . . . . . Jim Honeyford
Republican Floor Leader . . . . . Luke Esser
Republican Whip . . . . . Mike Hewitt
Republican Deputy Leader . . . . . Linda Evans Parlette
Republican Caucus Vice Chair . . . . . Dale Brandland
Republican Deputy Floor Leader . . . . . Cheryl Pflug
Republican Deputy Whip . . . . . Joyce Mulliken

Permanent Rules of the Senate

Fifty-ninth Legislature
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Section I
Officers-Members-Employees

Duties of the President

Rule 1. 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. (See also Art. 3, Sec. 16, State Constitution.)

2. The president shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber, legislative area, legislative offices or buildings, and legislative hearing and meeting rooms, 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. The use of cellular or digital telephones is prohibited within the senate chamber during floor session and within a hearing room during a committee hearing, and this prohibition shall be enforced in the same manner as any other breach of order and decorum.

3. The president shall have charge of and see that all officers and employees perform their respective duties, and shall have general control of the senate chamber and wings. (See also Art. 2, Sec. 10, State Constitution.)

4. The president may speak to points of order in preference to members, arising from the president's 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.

5. The president shall, in open session, sign all acts, addresses and joint resolutions. The president shall sign all writs, warrants and sub-

poenas issued by order of the senate, all of which shall be attested by the secretary. (See also Art. 2, Sec. 32, State Constitution.)

6. The president shall appoint all conference, special, joint and hereinafter named standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate. In the event the senate refuses to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

7. The president shall, on each day, announce to the senate the business in order, and no business shall be taken up or considered until the order to which it belongs shall be declared.

8. The president shall decide and announce the result of any vote taken.

9. 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. 10 and 22, State Constitution.)

President Pro Tempore

Rule 2. 1. Upon the organization of the senate the members shall elect one of their number as president pro tempore who shall have all the powers and authority and who shall discharge all the duties of lieutenant governor acting as president during the lieutenant governor's absence. The senate shall also elect a vice-president pro tempore who will serve in the absence of the lieutenant governor and the president pro tempore. (See Art. 2, Sec. 10, State Constitution.)

2. In the absence of the president pro tempore, and vice president pro tempore, or with their consent, the president 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.

Secretary of the Senate

Rule 3. 1. The senate shall elect a secretary, who shall appoint a deputy secretary, both of whom shall be officers of the senate and shall perform the usual duties pertaining to their offices, and they

shall hold office until their successors have been elected or appointed.

2. The secretary is the Personnel Officer of the senate and 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 the secretary's directions and instructions and they may be dismissed at the secretary's discretion.

3. The secretary of the senate, prior to the convening of the next regular session, shall prepare his office to receive bills which the holdover members and members-elect may desire to prefile commencing with the first Monday in December preceding any regular session or twenty days prior to any special session of the legislature.

Sergeant at Arms

Rule 4. 1. The senate shall elect a sergeant at arms who shall perform the usual duties pertaining to that office, and shall hold office until a successor has been elected.

2. The sergeant at arms shall not admit to the floor of the senate during the time the senate is not convened any person other than specifically requested by a senator, the president, or the secretary of the senate, in writing or when personally accompanied by a senator.

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. (See also Art. 2, Sec. 25, State Constitution.)

Employees

Rule 6. 1. No senate employee shall lobby in favor of or against any matter under consideration.

2. Senate employees are governed by joint rules and chapters 42.17 (the Public Disclosure Act) and 42.52 RCW (the Ethics in Public Service Act).

Conduct of Members and Officers

Rule 7. 1. Indecorous conduct, boisterous or unbecoming language will not be permitted in the senate at any time. The use of cellular or digital telephones is prohibited within the senate chamber during floor session and within a hearing room during a committee hearing.

2. 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 the senator to order shall report the language excepted to which shall be taken down or noted at the secretary's desk. 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.

3. If any senator in speaking, or otherwise, transgresses the rules of the senate, the president shall, or any senator may, call that senator to order, and a senator so called to order shall resume the senator's seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that the senator be allowed to proceed in order," when, if carried, the senator shall speak to the question under consideration.

4. No senator shall be absent from the senate without leave, except in case of accident or sickness, and if any senator or officer shall be absent the senator's per diem shall not be allowed or paid, and no senator or officer shall obtain leave of absence or be excused from attendance without the consent of a majority of the members present.

5. In the event of a motion or resolution to censure or punish, or any procedural motion thereto involving a senator, that senator shall not vote thereon. The senator shall be allowed to answer to such motion or resolution. An election or vote by the senate on a motion to censure or punish a senator shall require the vote of a majority of all senators elected or appointed to the senate. A vote to expel a member shall require a two-thirds concurrence of all members elected or appointed to the senate. All votes shall be taken by yeas and nays and the votes shall be entered upon the journal. (See also Art. 2, Sec. 9, State Constitution.)

Section II
Operations and Management

Payment of Expenses - Facilities and Operations

Rule 8. 1. After the reorganization caucuses of the Senate, the majority caucus shall designate four members and the minority caucus shall designate three members to serve on the Facilities and Operations Committee. The chair of the majority caucus shall be the chair of the Facilities and Operations Committee. The operation of the Senate shall transfer to the newly designated members after the reorganization caucuses of the Senate.

2. All necessary expenses of the senate incurred during the session shall be signed for by the secretary and approved by a majority of the committee on facilities and operations. The committee on facilities and operations shall carefully consider all items of expenditure ordered or contracted on the part of the senate, and report upon the same prior to the voucher being signed by the secretary of the senate authorizing the payment thereof. The committee on facilities and operations shall issue postage only as follows:

a) To elected or appointed members of the senate in an amount sufficient to allow performance of their legislative duties.
b) To the secretary of the senate in an amount sufficient to carry out the business of the senate.

Use of Senate Chambers

Rule 9. The senate chamber and its facilities shall not be used for any but legislative business, except by permission of the senate while in session, or by the facilities and operations committee when not in session.

Admission to the Senate

Rule 10. The sergeant at arms shall admit only the following individuals to the floor and adjacent areas of the senate for the period of time beginning one-half hour before convening and ending when the senate has adjourned or recessed for an hour or more:

The governor and/or designees,
Members of the house of representatives,
State elected officials,

Officers and authorized employees of the legislature,
Honored guests being presented to the senate,
Former members of the senate who are not registered lobbyists pursuant to chapter 42.17 RCW,
Representatives of the press,
Persons specifically requested by a senator to the president in writing or only as long as accompanied by a senator.

Printing of Bills

Rule 11. The number of bills printed and reprinted shall be at the discretion of the secretary of the senate, with the approval of the facilities and operations committee.

Furnishing Full File of Bills

Rule 12. 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. The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations and organizations as may be ordered by the secretary of the senate. The secretary of the senate is authorized to recoup costs.

Regulation of Lobbyists

Rule 13. All persons who engage in lobbying of any kind as defined in chapter 42.17 RCW shall be subject to the rules of the senate and legislature when lobbying before the senate. Any person who fails to conform to the senate or joint rules may have their privilege to lobby and all other privileges revoked upon a majority vote of the committee on rules for such time as is deemed appropriate by the committee.

Any person registered as a lobbyist pursuant to chapter 42.17 RCW who intervenes in or attempts to influence any personnel decision of the senate regarding any employee may suffer an immediate revocation of all privileges before the senate or such other privileges and for such time as may be deemed appropriate by the senate committee on rules. This restriction shall not prohibit a registered lobbyist from making written recommendations for staff positions.

Security Management

Rule 14. The sergeant at arms may develop methods to protect the Senate, including its members, staff, and the visiting public, by establishing procedures to curtail the use or possession of any weapon in a manner that is prohibited by law or by the rules of the Department of General Administration.

Section III
Rules and Order

Time of Convening

Rule 15. The senate shall convene at 10:00 a.m. each working day, unless adjourned to a different hour. The senate shall adjourn not later than 10:00 p.m. of each working day. The senate shall recess ninety minutes for lunch each working day. When reconvening on the same day the senate shall recess ninety minutes for dinner each working evening. This rule may be suspended by a majority.

Quorum

Rule 16. A majority of all members elected or appointed to the senate shall be necessary to constitute a quorum to do business. Less than a quorum may adjourn from day to day until a quorum can be had. (See Art. 2, Sec. 8, State Constitution.)

Order of Business

Rule 17. 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, joint memorials, joint resolutions and concurrent resolutions.
SIXTH. Second reading of bills.
SEVENTH. Third reading of bills.
EIGHTH. Presentation of petitions, memorials and floor resolutions.
NINTH. Presentation of 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.

All questions relating to the priority of business shall be decided without debate.

Messages from the governor, other state officers, and from the house of representatives may be considered at any time with the consent of the senate.

Special Order

Rule 18. 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 of the members present, 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, except that if a cutoff established by concurrent resolution occurs during the special order, the senate may complete the measure that was before the senate when consideration of the special order was commenced.

Unfinished Business

Rule 19. 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.

Motion and Senate Floor Resolutions (How Presented)

Rule 20. 1. 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.

2. The Senate shall consider no more than one floor resolution per day in session: *Provided,* That this rule shall not apply to floor resolutions essential to the operation of the Senate; and further *Provided,* That there shall be no limit on the number of floor resolutions considered on Senate pro forma session days. Senate floor 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. Members' names shall only be added to the resolution if the member signs the resolution. Members shall have until thirty minutes after the senate is convened the following day the senate is in a regular or pro forma session to add their names to the floor resolution. A motion may be made to close the period for signatures at an earlier time.

Precedence of Motions

Rule 21. When a motion has been made and stated by the chair the following motions are in order, in the rank named:

Privileged Motions

Adjourn, recess, or go at ease
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: To lay on the table
2nd Rank: For the previous question
3rd Rank: To postpone to a day certain
To commit or recommit
To postpone indefinitely
4th Rank: To amend

No motion to postpone to a day certain, to commit, or 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.

At no time shall the senate entertain a Question of Consideration.

Voting

Rule 22. 1. 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 or she is in any way personally or directly interested, nor be allowed to explain a vote or discuss the question while the yeas and nays are being called, nor change a vote after the result has been announced. (See also Art. 2, Secs. 27 and 30, State Constitution.)

2. A member not voting by reason of personal or direct interest, or by reason of an excused absence, may explain the reason for not voting by a brief statement not to exceed fifty words in the journal.

3. 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 members present, and the votes shall 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 Rule 24.)

4. A senator having been absent during roll call may ask to have his or her name called. Such a request must be made before the result of the roll call has been announced by the president.

5. 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, Secs. 10 and 22, State Constitution.)

6. The order of the names on the roll call shall be alphabetical by last name.

7. All votes in a committee shall be recorded, and the record shall be preserved as prescribed by the secretary of the senate. One-sixth of the committee may demand an oral roll call.

8. If a member of the majority is going to be absent due to a health matter or other emergency, then a member of the minority may publicly announce on the floor of the senate that he or she will cast votes as he or she believes the absent member would have voted in order to avoid results that would only occur because of the unanticipated absence.

Announcement of Vote

Rule 23. The announcement of all votes shall be made by the president.

Call of the Senate

Rule 24. Although a roll call is in progress, a call of the senate may be moved by three senators, and if carried by a majority of all present the secretary shall call the roll, after which the names of the absentees shall again be called. The doors shall then be locked 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.

One Subject in a Bill

Rule 25. No bill shall embrace more than one subject and that shall be expressed in the title. (See also Art. 2, Sec. 19, State Constitution.)

No Amendment by Mere Reference to Title of Act

Rule 26. 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. (See also Art. 2, Sec. 37, State Constitution.)

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 of 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. This shall not apply to materials normally distributed by the secretary of the senate or the majority or minority caucuses.

Comparing Enrolled and Engrossed Bills

Rule 28. Any senator shall have the right to compare an enrolled bill with the engrossed bill and may note any objections in the Journal.

Section IV
Parliamentary Procedure

Rules of Debate

Rule 29. When any senator is about to speak in debate, or submit any matter to the senate, the senator shall rise, and standing in place, respectfully address the President, and when recognized shall, in a courteous manner, speak to the question under debate, avoiding personalities; provided that a senator may refer to another member using the title "Senator" and the surname of the other member. 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. A majority of the members present may further limit the number of times a member may speak on any question and may limit the length of time a member may speak but, unless a demand for the previous question has been sustained, a member shall not be denied the right to speak at least once on each question, nor shall a member be limited to less than three minutes on each question. In any event, the senator who presents the motion may open and close debate on the question.

Recognition by the President

Rule 30. 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.

Call for Division of a Question

Rule 31. 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 32. 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 president stand as the judgment of the senate?"

Question of Privilege

Rule 33. Any senator may rise to a question of privilege and explain a personal matter by leave of the president, but 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. The president upon notice received may acknowledge the presence of any distinguished person or persons.

A question of privilege shall involve only subject matter which affects the particular senator personally and in a manner unique and peculiar to that senator.

Protests

Rule 34. Any senator or senators may protest against the action of the senate upon any question. Such protest may be entered upon the journal if it does not exceed 200 words. The senator protesting shall file the protest with the secretary of the senate within 48 hours following the action protested.

Adoption and Suspension of Rules

Rule 35. 1. The permanent senate rules adopted at the first regular session during a legislative biennium shall govern any session subsequently convened during the same legislative biennium. Adoption of permanent rules may be by majority of the senate without notice and a majority of the senate may change a permanent rule without notice at the beginning of any session, as determined pursuant to Article 2, Section 12 of the State Constitution. No permanent rule or order of

the senate shall be rescinded or changed without a majority vote of the members, and one day's notice of the motion.

2. A permanent rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present unless otherwise specified herein. When the suspension of a rule is called, and after due notice from the president no objection is offered, the president may announce the rule suspended, and the senate may proceed accordingly. Motion for suspension of the rules shall not be debatable, except, the mover of the motion may briefly explain the purpose of the motion and at the discretion of the president a rebuttal may be allowed.

Previous Question

Rule 36. The previous question shall not be put unless demanded by three senators, 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, except the senator who presents the motion may open and close debate on the question and the vote shall be immediately taken 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

Rule 37. 1. After the final vote on any measure, before the adjournment of that day's session, any member who voted with the prevailing side may give notice of reconsideration unless a motion to immediately transmit the measure to the house has been decided in the affirmative. 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.

2. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; 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 tenth day prior to adjournment sine die of any session, as determined pursuant to Article 2, Section 12, or concurrent resolution, or in the event that the

measure is subject to a senate rule or resolution or a joint rule or concurrent resolution, which would preclude consideration on the next day of sitting 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.

Motion to Adjourn

Rule 38. 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 upon the journal.

Yeas and Nays - When Must be Taken

Rule 39. 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 members present, and the votes shall 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 Rules 22 and 24.)

Reed's Parliamentary Rules

Rule 40. 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.

Section V
Committees

Committees - Appointment and Confirmation

Rule 41. The president shall appoint all conference, special, joint and standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

1. Agricultural and Rural Economic Development 7
2. Early Learning, K-12 and Higher Education. 16
3. Financial Institutions, Housing and Consumer Protection 11
4. Government Operations and Elections 10
5. Health and Long-Term Care 11
6. Human Services and Corrections 7
7. International Trade and Economic Development 7
8. Judiciary 9
9. Labor, Commerce, Research and Development 9
10. Natural Resources, Ocean and Recreation 9
11. Rules 20
12. Transportation 12
13. Water, Energy and Environment 9
14. Ways and Means 17

Subcommittees

Rule 42. Committee chairs may create subcommittees of the standing committee and designate subcommittee chairs thereof to study subjects within the jurisdiction of the standing committee. The committee chair shall approve the use of committee staff and equipment assigned to the subcommittee. Subcommittee activities shall further be subject to facilities and operations committee ap-

proval to the same extent as are the actions of the standing committee from which they derive their authority.

Subpoena Power

Rule 43. Any of the above referenced committees, including subcommittees thereof, or any special committees created by the senate, may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. The committee chair shall file with the committee on rules, prior to issuance of any process, a statement of purpose setting forth the name or names of those subject to process. The rules committee shall consider every proposed issuance of process at a meeting of the rules committee immediately following the filing of the statement with the committee. The process shall not be issued prior to consideration by the rules committee. The process shall be limited to the named individuals and the committee on rules may overrule the service on an individual so named.

Duties of Committees

Rule 44. The several committees shall fully consider 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: *Provided*, That no executive action on bills may be taken during an interim.

Committee Rules

Rule 45. 1. At least five days notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. A majority of any committee shall constitute a quorum. 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.

5. 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, or more as appropriate, of the following recommendations, shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee:

a. Do pass.
b. Do pass as amended.
c. That a substitute bill be substituted therefor, and the substitute bill do pass.
d. That the bill be referred to another committee.
e. Without recommendation.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 3 of this rule, a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report.

7. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members.

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

9. 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 ordered 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.

10. No vote in any 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.

11. 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."

Committee Meetings During Sessions

Rule 46. No committee shall sit during the daily session of the senate unless by special leave.

No committee shall sit during any scheduled caucus.

Reading of Reports

Rule 47. 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.

Recalling Bills from Committees

Rule 48. Any standing committee of the senate may be relieved of further consideration of any bill, regardless of prior action of the committee, by a majority vote of the senators elected or appointed. 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.

Bills Referred to Rules Committee

Rule 49. 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 Rules 63 and 64.)

Rules Committee

Rule 50. The lieutenant governor shall be a voting member and the chair of the committee on rules. The committee on 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 out 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 and in the offices of the senators each day and shall cover the bills for consideration on the next following day.

Employment Committee

Rule 51. The employment committee for committee staff shall consist of five members, three from the majority party and two from the minority party. The chair shall be appointed by the majority leader. The committee shall, in addition to its other duties, appoint a staff director for committee services with the concurrence of four of its members. All other decisions shall be determined by majority vote. The committee shall operate within staffing, budget levels and guidelines as authorized and adopted by the facilities and operations committee.

Committee of the Whole

Rule 52. At no time shall the senate sit as a committee of the whole.

The senate may at any time, by the vote of the majority of the members present, sit as a body for the purpose of taking testimony on any measure before the senate.

Appropriation Budget Bills

Rule 53. No amendment to the budget, capital budget or supplemental budget, not incorporated in the bill as reported by the ways and means committee, shall be adopted except by the affirmative vote of sixty percent of the senators elected or appointed.

Section VI
Bills, Resolutions, Memorials and Gubernatorial Appointments

Definitions

Rule 54. "Measure" means a bill, joint memorial, joint resolution, or concurrent resolution.

"Bill" when used alone means bill, joint memorial, joint resolution, or concurrent resolution.

"Majority" shall mean a majority of those members present unless otherwise stated.

Prefiling

Rule 55. Holdover members and members-elect to the senate may prefile 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 special session of the legislature. Such bills will be printed, distributed and prepared for introduction on the first legislative day. No bill, joint memorial or joint resolution shall be prefiled by title and/or preamble only. (See also Rule 3, Sub. 3.)

Introduction of Bills

Rule 56. All bills, joint resolutions and joint memorials introduced shall be endorsed with a statement of the title and the name of the member introducing the same. Any member desiring to introduce a bill, joint resolution or joint memorial shall file the same with the secretary of the senate by noon of the day before the convening of the session at which said bill, joint resolution or joint memorial is to be introduced.

After the expiration of deadlines for bill introductions provided for by resolution, 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. 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. (See also Art. 2, Sec. 36, State Constitution.)

Amendatory Bills

Rule 57. 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.

When statutes are being repealed, the Revised Code of Washington section number to be repealed, the section caption and the session law history, from the most current to the original, shall be cited.

Joint Resolutions and Memorials

Rule 58. 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 59. Concurrent resolutions shall be subject to the rules governing the course of bills and may be adopted without a roll call. 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. Concurrent resolutions are subject to final passage on the day of the first reading without regard to Senate Rules 62, 63, and 64.

Committee Bills

Rule 60. Committee bills introduced by a standing committee during a legislative session 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.

Committee Reference

Rule 61. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

FIRST: A standing committee.
SECOND: A select committee.

Reading of Bills

Rule 62. Every bill shall be read on three separate days unless the senate deems it expedient to suspend this rule. On and after the tenth day preceding adjournment sine die of any session, or three days prior to any cut-off date for consideration of bills, as determined pursuant to Article 2, Section 12 of the Constitution or concurrent resolution, this rule may be suspended by a majority vote. (See also Rule 59).

First Reading

Rule 63. 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 committee pursuant to Rule 61.

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 49.)

A bill shall be reported back by the committee chair upon written petition therefor signed by a majority of its members. The petition shall designate the recommendation as provided in Rule 45, Sub. 4.

No committee chair 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.

Second Reading/Amendments

Rule 64. Upon second reading, the bill shall be read section by section, in full, and be subject to amendment.

Any member may, if sustained by three members, remove a bill from the consent calendar as constituted by the committee on rules. A bill removed from the consent calendar shall take its place as the last bill in the order of consideration of bills on the second reading calendar.

No amendment shall be considered by the senate until it shall have been sent to the secretary's desk in writing and read by the secretary.

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.

Third Reading

Rule 65. 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.

Scope and Object of Bill Not to be Changed

Rule 66. No amendment to any bill shall be allowed which shall change the scope and object of the bill. (See also Art. 2, Sec. 38, State Constitution.) Substitute bills shall be considered amendments for the purposes of this rule. A point of order raising the

question of scope and object may be raised at any time during consideration of an amendment prior to voting on the amendment.

Matters Related to Disagreement Between the Senate and House

Rule 67. When there is a disagreement between the senate and house on a measure before the senate, the senate may act upon the measure with the following motions which have priority in the following order:

To concur
To non-concur
To recede
To insist
To adhere

These motions are in order as to any single amendment or to a series of amendments. (See Reed's Rules 247 through 254.)

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 an appropriate committee and shall take the same course as for original bills, unless a motion to ask the house to recede, to insist or to adhere is made prior to the measure being referred to committee.

Bills Committed for Special Amendment

Rule 68. A bill may be committed with or without special instructions to amend at any time before taking the final vote.

Confirmation of Gubernatorial Appointees

Rule 69. When the names of appointees to state offices are transmitted to the Secretary of the Senate for senate confirmation, the communication from the governor shall be recorded and referred to the appropriate standing committee.

The standing committee, or subcommittee, pursuant to rule 42, shall require each appointee referred to the committee for consideration to complete the standard questionnaire to be used to ascertain the appointee's general background and qualifications. The committee may also require the appointee to complete a supplemental

questionnaire related specifically to the qualifications for the position to which he has been appointed.

Any hearing on a gubernatorial appointment, held by the standing committee, or subcommittees, pursuant to rule 42, shall be a public hearing. The appointee may be required to appear before the committee on request. When appearing, the appointee shall be required to testify under oath or affirmation. The chair of the committee or the presiding member shall administer the oath or affirmation in accordance with RCW 44.16. (See also Article 2, Sec. 6 of the State Constitution.)

Nothing in this rule shall be construed to prevent a standing committee, or subcommittee, pursuant to rule 42, upon a two-thirds vote of its members, from holding executive sessions when considering an appointment.

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. In the event a message is received from the governor requesting return of an appointment or appointments to the office of the governor prior to confirmation, the senate shall vote upon the governor's request and the appointment or appointments shall be returned to the governor if the request is approved by a majority of the members elected or appointed. (Article 13 of the State Constitution.)

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	To postpone indefinitely
4th Rank:	To amend

Membership of Senate Standing Committees

2005 – 2006

Agriculture & Rural Economic Development (7) — Rasmussen, Chair; Shin, Vice Chair; *Schoesler; Delvin; Jacobsen; Morton; Sheldon

Early Learning, K-12 & Higher Education (16) — McAuliffe, Chair; Pridemore, Vice Chair Higher Education; Weinstein, Vice Chair Early Learning and K-12; *Schmidt; Benton; Berkey; Carrell; Delvin; Eide; Kohl-Welles; Mulliken; Pflug; Rasmussen; Rockefeller; Schoesler; Shin

Financial Institutions, Housing & Consumer Protection (11) — Fairley, Chair; Berkey, Vice Chair; *Benton; Benson; Brandland; Delvin; Franklin; Keiser; Prentice; Schmidt; Spanel

Government Operations & Elections (10) — Kastama, Chair; Berkey, Vice Chair; *Roach; Benton; Fairley; Haugen; Kline; McCaslin; Mulliken; Pridemore

Health & Long-Term Care (11) — Keiser, Chair; Thibaudeau, Vice Chair; *Deccio; Benson; Brandland; Franklin; Johnson; Kastama; Kline; Parlette; Poulsen

Human Services & Corrections (7) — Hargrove, Chair; Regala, Vice Chair; *Stevens; Brandland; Carrell; McAuliffe; Thibaudeau

International Trade & Economic Development (7) — Shin, Chair; Sheldon, Vice Chair; *Pflug; Doumit; Eide; Roach; Zarelli

Judiciary (9) — Kline, Chair; Weinstein, Vice Chair; *Johnson; Carrell; Esser; Hargrove; McCaslin; Rasmussen; Thibaudeau

Labor, Commerce, Research & Development (9) — Kohl-Welles, Chair; Franklin, Vice Chair; *Parlette; Brown; Deccio; Hewitt; Honeyford; Keiser; Prentice

* Ranking Minority Member

Natural Resources, Ocean & Recreation (9) — Jacobsen, Chair; Doumit, Vice Chair; *Oke; Fraser; Hargrove; Morton; Spanel; Stevens; Swecker

Rules (20) — Lieutenant Governor, Chair; Franklin, Vice Chair; *Finkbeiner; Brown; Doumit; Eide; Esser; Fraser; Haugen; Hewitt; Honeyford; Johnson; Kline; Kohl-Welles; Parlette; Regala; Spanel; Stevens; Thibaudeau; Zarelli

Transportation (12) — Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; *Swecker; Benson; Eide; Esser; Kastama; Mulliken; Oke; Spanel; Weinstein

Water, Energy & Environment (9) — Poulsen, Chair; Rockefeller, Vice Chair; *Morton; Fraser; Hewitt; Honeyford; Mulliken; Pridemore; Regala

Ways & Means (17) — Prentice, Chair; Fraser, Vice Chair Capital Budget; Doumit, Vice Chair Operating Budget; *Zarelli; Brandland; Fairley; Hewitt; Kohl-Welles; Parlette; Pflug; Pridemore; Rasmussen; Regala; Roach; Rockefeller; Schoesler; Thibaudeau

* Ranking Minority Member

Member Assignments to Senate Standing Committees

2005 – 2006

Benson, Brad — Financial Institutions, Housing & Consumer Protection; Health & Long-Term Care; Transportation

Benton, Don — *Financial Institutions, Housing & Consumer Protection; Early Learning, K-12 & Higher Education; Government Operations & Elections

Berkey, Jean — Financial Institutions, Housing & Consumer Protection, Vice Chair; Government Operations & Elections, Vice Chair; Early Learning, K-12 & Higher Education

Brandland, Dale — Financial Institutions, Housing & Consumer Protection; Health & Long-Term Care; Human Services & Corrections; Ways & Means

Brown, Lisa — Labor, Commerce, Research & Development; Rules

Carrell, Mike — Early Learning, K-12 & Higher Education; Human Services & Corrections; Judiciary

Deccio, Alex — *Health & Long-Term Care; Labor, Commerce, Research & Development

Delvin, Jerome — Agriculture & Rural Economic Development; Early Learning, K-12 & Higher Education; Financial Institutions, Housing & Consumer Protection

Doumit, Mark — Natural Resources, Ocean & Recreation, Vice Chair; Ways & Means, Vice Chair Operating Budget; International Trade & Economic Development; Rules

Eide, Tracey — Early Learning, K-12 & Higher Education; International Trade & Economic Development; Rules; Transportation

Esser, Luke — Judiciary; Rules; Transportation

* Ranking Minority Member

Fairley, Darlene — Financial Institutions, Housing & Consumer Protection, Chair; Government Operations & Elections; Ways & Means

Finkbeiner, Bill — *Rules

Franklin, Rosa — Labor, Commerce, Research & Development, Vice Chair; Rules, Vice Chair; Financial Institutions, Housing & Consumer Protection; Health & Long-Term Care

Fraser, Karen — Ways & Means, Vice Chair Capital Budget; Natural Resources, Ocean & Recreation; Rules; Water, Energy & Environment

Hargrove, James — Human Services & Corrections, Chair; Judiciary; Natural Resources, Ocean & Recreation

Haugen, Mary Margaret — Transportation, Chair; Government Operations & Elections; Rules

Hewitt, Mike — Labor, Commerce, Research & Development; Rules; Water, Energy & Environment; Ways & Means

Honeyford, Jim — Labor, Commerce, Research & Development; Rules; Water, Energy & Environment

Jacobsen, Ken — Natural Resources, Ocean & Recreation, Chair; Transportation, Vice Chair; Agriculture & Rural Economic Development

Johnson, Stephen L. — *Judiciary; Health & Long-Term Care; Rules

Kastama, Jim — Government Operations & Elections, Chair; Health & Long-Term Care; Transportation

Keiser, Karen — Health & Long-Term Care, Chair; Financial Institutions, Housing & Consumer Protection; Labor, Commerce, Research & Development

Kline, Adam — Judiciary, Chair; Government Operations & Elections; Health & Long-Term Care; Rules

Kohl-Welles, Jeanne — Labor, Commerce, Research & Development, Chair; Early Learning, K-12 & Higher Education; Rules; Ways & Means

* Ranking Minority Member

McAuliffe, Rosemary — Early Learning, K-12 & Higher Education, Chair; Human Services & Corrections

McCaslin, Bob — Government Operations & Elections; Judiciary

Morton, Bob — *Water, Energy & Environment; Agriculture & Rural Economic Development; Natural Resources, Ocean & Recreation

Mulliken, Joyce — Early Learning, K-12 & Higher Education; Government Operations & Elections; Transportation; Water, Energy & Environment

Oke, Bob — *Natural Resources, Ocean & Recreation; Transportation

Parlette, Linda Evans — *Labor, Commerce, Research & Development; Health & Long-Term Care; Rules; Ways & Means

Pflug, Cheryl — *International Trade & Economic Development; Early Learning, K-12 & Higher Education; Ways & Means

Poulsen, Erik — Water, Energy & Environment, Chair; Transportation, Vice Chair; Health & Long-Term Care

Prentice, Margarita — Ways & Means, Chair; Financial Institutions, Housing & Consumer Protection; Labor, Commerce, Research & Development

Pridemore, Craig — Early Learning, K-12 & Higher Education, Vice Chair Higher Education; Government Operations & Elections; Water, Energy & Environment; Ways & Means

Rasmussen, Marilyn — Agriculture & Rural Economic Development, Chair; Early Learning, K-12 & Higher Education; Judiciary; Ways & Means

Regala, Debbie — Human Services & Corrections, Vice Chair; Rules; Water, Energy & Environment; Ways & Means

Roach, Pam — *Government Operations & Elections; International Trade & Economic Development; Ways & Means

Rockefeller, Phil — Water, Energy & Environment, Vice Chair; Early Learning, K-12 & Higher Education; Ways & Means

* Ranking Minority Member

Schmidt, Dave — *Early Learning, K-12 & Higher Education; Financial Institutions, Housing & Consumer Protection

Schoesler, Mark — *Agriculture & Rural Economic Development; Early Learning, K-12 & Higher Education; Ways & Means

Sheldon, Tim — International Trade & Economic Development, Vice Chair; Agriculture & Rural Economic Development

Shin, Paull — International Trade & Economic Development, Chair; Agriculture & Rural Economic Development, Vice Chair; Early Learning, K-12 & Higher Education

Spanel, Harriet — Financial Institutions, Housing & Consumer Protection; Natural Resources, Ocean & Recreation; Rules; Transportation

Stevens, Val — *Human Services & Corrections; Natural Resources, Ocean & Recreation; Rules

Swecker, Dan — *Transportation; Natural Resources, Ocean & Recreation

Thibaudeau, Pat — Health & Long-Term Care, Vice Chair; Human Services & Corrections; Judiciary; Rules; Ways & Means

Weinstein, Brian — Judiciary, Vice Chair; Early Learning, K-12 & Higher Education, Vice Chair; Transportation

Zarelli, Joseph — *Ways & Means; International Trade & Economic Development; Rules

* Ranking Minority Member

Brad Owen, President

Thomas Hoemann, Secretary

Senator Rosa Franklin, President Pro Tem
Senator Paull Shin, Vice President Pro Tem

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Benson, Brad	6	R	Spokane (P)	PO Box 40606 Olympia, WA 98504-0606	1959 - CA	WA Air National Guard	2005	1997-2004
Benton, Don	17	R	Clark (P)	PO Box 40417 Olympia, WA 98504-0417	1957 - CA	CIO - National Advtsg Consltnt	Elected 11/5/1996-	1995-1996
Berkey, Jean	38	D	Snohomish (P)	PO Box 40438 Olympia, WA 98504-0438	1938 - CA	Property Management	1/5/2004	Appt. 1/22/01-2004
Brandland, Dale	42	R	Whatcom (P)	PO Box 40442 Olympia, WA 98504-0442	1948 - MN	County Sheriff (retired)	2003-	
Brown, Lisa	3	D	Spokane (P)	PO Box 40403 Olympia, WA 98504-0403	1956 - IL	Assoc. Prof. Economics	1997-	1993-1996
Carrell, Mike	28	R	Pierce (P)	PO Box 40428 Olympia, WA 98504-0428	1944 - WA	Teacher (retired)	Appt. 7/6/2004	1995-2004

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Deccio, Alex	14	R	Yakima (P)	PO Box 40414 Olympia, WA 98504-0414	WA	Insurance Broker (retired)	1981-1988; 1993-	1975-1980
Delvin, Jerome	8	R	Benton (P)	PO Box 40408 Olympia, WA 98504-0408	1956 - WA	Police Officer	5/2005	Appt. 11/28/1994-2004
Doumit, Mark	19	D	Cowlitz (P), Grays Harbor (P), Pacific, Wahkiakum	PO Box 40419 Olympia, WA 98504-0419	1961 - WA	Commercial Fisherman	2003-	1997-2002
Eide, Tracey	30	D	King (P)	PO Box 40430 Olympia, WA 98504-0430	1954 - WA	Senator	1999-	1993-1994
Esser, Luke	48	R	King (P)	PO Box 40448 Olympia, WA 98504-0448	1961 - WA	Attorney	2003-	1999-2002
Fairley, Darlene	32	D	King (P), Snohomish (P)	PO Box 40432 Olympia, WA 98504-0432	1943 - WA	State Senator	1995-	
Finkbeiner, Bill	45	R	King (P)	PO Box 40445 Olympia, WA 98504-0445	1969 - WA	State Senator	1995-	1992-1994

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Franklin, Rosa	29	D	Pierce (P)	PO Box 40429 Olympia, WA 98504-0429	1927 - SC	Registered Nurse (retired)	Appt. 1/25/1993-	1991-1992
Fraser, Karen	22	D	Thurston (P)	PO Box 40422 Olympia, WA 98504-0422	1944 - WA	Legislator	1993-	1989-1992
Hargrove, James	24	D	Clallam, Grays Harbor (P), Jefferson	PO Box 40424 Olympia, WA 98504-0424	1953 - OR	Forester	1993-	1985-1992
Haugen, Mary Margaret	10	D	Island, Skagit (P), Snohomish (P)	PO Box 40410 Olympia, WA 98504-0410	1941 - WA	Legislator	1993-	1983-1992
Hewitt, Mike	16	R	Benton (P), Columbia, Franklin (P), Walla Walla	PO Box 40416 Olympia, WA 98504-0416	1946 - WA	Legislator	2001-	
Honeyford, Jim	15	R	Clark (P), Klickitat, Skamania, Yakima (P)	PO Box 40415 Olympia, WA 98504-0415	OR	Farmer (retired)/ Educator	1999-	1995-1998
Jacobsen, Ken	46	D	King (P)	PO Box 40446 Olympia, WA 98504-0446	1945 - NE	Self-employed	Appt 1/6/1997-	1983-1996

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Johnson, Stephen	47	R	King (P)	PO Box 40447 Olympia, WA 98504-0447	1939 - WA	Attorney	1995-	
Kastama, Jim	25	D	Pierce (P)	PO Box 40425 Olympia, WA 98504-0425	1959 - WA	Legislator	2001-	1997-2000
Keiser, Karen	33	D	King (P)	PO Box 40433 Olympia, WA 98504-0433	1947 - IA	Communications	2001-	1996-2000
Kline, Adam	37	D	King (P)	PO Box 40437 Olympia, WA 98504-0437	1944 - NJ	Lawyer	Appt 1/20/1997-	
Kohl-Welles, Jeanne	36	D	King (P)	PO Box 40436 Olympia, WA 98504-0436	1942 - WI	Sociologist Lecturer, Univsty	Appt 10/14/1994-	1992-1994
McAuliffe, Rosemary	1	D	King (P), Snohomish (P)	PO Box 40401 Olympia, WA 98504-0401	1940 - WA	Owner Hollywood School	1993-	
McCaslin, Bob	4	R	Spokane (P)	PO Box 40404 Olympia, WA 98504-0404	1926 - OH	Real Estate Broker (retired)	1981-	

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Morton, Bob	7	R	Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	PO Box 40407 Olympia, WA 98504-0407	1934 - NY	Legislator	Appt. 1/5/1994-	1991-1993
Mulliken, Joyce	13	R	Grant (P), Kittitas, Yakima (P)	PO Box 40413 Olympia, WA 98504-0413	1945 - ME	Property Management	2003-	1995-2002
Oke, Bob	26	R	Kitsap (P), Pierce (P)	PO Box 40426 Olympia, WA 98504-0426	1940 - WA	Sr. Chief - U.S. Navy (retired)	1991-	
Parlette, Linda Evans	12	R	Chelan, Douglas, Grant (P), Okanogan (P)	PO Box 40412 Olympia, WA 98504-0412	1945 - WA	Pharmacist & Orchardist	2001-	1997-2000
Pflug, Cheryl	5	R	King (P)	PO Box 40405 Olympia, WA 98504-0405	1957 - WA	Registered Nurse	Appt. 2004	1999-2004
Poulsen, Erik	34	D	King (P)	PO Box 40434 Olympia, WA 98504-0434	1964 - WI	Advisor, Seattle City Light	2003-	1995-2002

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Prentice, Margarita	11	D	King (P)	PO Box 40411 Olympia, WA 98504-0411	1931 - CA	Registered Nurse (retired)	1993-	Appt. 5/31/1988-1992
Pridemore, Craig	49	D	Clark (P)	PO Box 40449 Olympia, WA 98504-0449	1961 - CA	Former County Commissioner	2005	
Rasmussen, Marilyn	2	D	Pierce (P), Thurston (P)	PO Box 40402 Olympia, WA 98504-0402	1939 - WA	Self-Employed	1993-	1987-1992
Regala, Debbie	27	D	Pierce (P)	PO Box 40427 Olympia, WA 98504-0427	1945 - WA	Community Volunteer	2001-	1995-2000
Roach, Pam	31	R	King (P), Pierce (P)	PO Box 40431 Olympia, WA 98504-0431	1948 - CA	Non-profit Coordinator	1991-	
Rockefeller, Phil	23	D	Kitsap (P)	PO Box 40423 Olympia, WA 98504-0423	1938 - NY	Attorney (retired)	2005	1999-2004
Schmidt, Dave	44	R	Snohomish (P)	PO Box 40444 Olympia, WA 98504-0444	1954 - IA	WA National Guard	2003-	1995-2002

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Schoesler, Mark	9	R	Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	PO Box 40409 Olympia, WA 98504-0409	1957 - WA	Self-Employed Farmer	2005	1993-2004
Sheldon, Tim	35	D	Grays Harbor (P), Kitsap (P), Mason, Thurston (P)	PO Box 40435 Olympia, WA 98504-0435	1947 - WA	Tree Farmer	Elected 11/4/1997-	1991-1997
Shin, Paull	21	D	Snohomish (P)	PO Box 40421 Olympia, WA 98504-0421	1935 - Korea	Professor (retired)	1999-	1993-1994
Spanel, Harriet	40	D	San Juan, Skagit (P), Whatcom (P)	PO Box 40440 Olympia, WA 98504-0440	1939 - IA	Legislator	1993-	1987-1992
Stevens, Val	39	R	King (P), Skagit (P), Snohomish (P), Whatcom (P)	PO Box 40439 Olympia, WA 98504-0439	1939 - WA	Legislator	1997-	1993-1996
Swecker, Dan	20	R	Lewis, Thurston (P)	PO Box 40420 Olympia, WA 98504-0420	1947 - MT	Sec/Treas Wa. Fish Growers	Appt 1/5/1995-	
Thibaudeau, Pat	43	D	King (P)	PO Box 40443 Olympia, WA 98504-0443	1932 - WA		Appt. 10/2/1995-	1993-1995

Name of Member	District	Politics	County	Mailing Address	Birth year-place	Occupation	Previous Years Served Senate	House
Weinstein, Brian	41	D	King (P)	PO Box 40441 Olympia, WA 98504-0441	1954 - NY	Attorney	2005	
Zarelli, Joseph	18	R	Clark (P), Cowlitz (P)	PO Box 40418 Olympia, WA 98504-0418	1961 - WA	Business Devlpmnt & Risk Mngt	Elected 11/7/1995-	
Hoemann, Thomas				PO Box 40482 Olympia, WA 98504-0482	1952 - NE	Secretary of the Senate	2005	
Hendrickson, Brad				PO Box 40482 Olympia, WA 98504-0482	1960 - WA	Deputy Secretary of the Senate	(1993-1996 1999-2002) 2005	
Ruble, Jim				PO Box 40482 Olympia, WA 98504-0482	1943 - WA	Sergeant At Arms	2005	

The House of Representatives

Fifty-ninth Legislature
Olympia

2005 – 2006

House Officers
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House Roster

Officers

Frank Chopp
Speaker of the House

John Lovick
Speaker Pro Tempore of the House

Rich Nafziger
Chief Clerk, House

William Wegeleben
Deputy Chief Clerk, House

House Legislative Leaders

2005 – 2006

Democratic Leadership

Frank Chopp . . . . . Speaker
John Lovick . . . . . Speaker Pro Tempore
Lynn Kessler . . . . . Majority Leader
Bill Grant . . . . . Majority Caucus Chair
Sharon Tomiko Santos . . . . . Majority Whip
Sam Hunt . . . . . Majority Floor Leader
Jeannie Darneille . . . . . Majority Caucus Vice Chair
Zack Hudgins . . . . . Assistant Majority Floor Leader
Sherry Appleton . . . . . Assistant Majority Whip
Tami Green . . . . . Assistant Majority Whip
Larry Springer . . . . . Assistant Majority Whip

Republican Leadership

Bruce Chandler . . . . . Minority Leader
Mike Armstrong . . . . . Minority Deputy Leader
Jan Shabro . . . . . Minority Caucus Chair
Jim Clements . . . . . Minority Whip
Doug Ericksen . . . . . Minority Floor Leader
Mary Skinner . . . . . Minority Caucus Vice Chair
Daniel Newhouse . . . . . Assistant Minority Floor Leader
Jay Rodne . . . . . Assistant Minority Floor Leader
David Buri . . . . . Assistant Minority Whip
Richard Curtis . . . . . Assistant Minority Whip
John Serben . . . . . Assistant Minority Whip

Votes Necessary on House Action

Actions requiring constitutional majority (50 votes)

1. To pass bills. (Const., Art. II, Sec. 22 and House Rule 12 (B))
2. To ratify Constitutional Amendment of Federal Government.
3. To excuse absent members under Call of the House. (House Rule 21(C))
4. To impeach. (Const., Art. V, Sec. 1)
5. To change any standing rule or order. (On one day's notice) (House Rule 30)
6. To constitute a quorum (Const., Art. II, Sec. 8; House Rule 13(B))
7. To order bill out of Rules Committee and place on Calendar (House Rule 14(C)(2)) or to relieve a Committee of a bill and place on Calendar. (House Rule 24(D)(2))
8. To advance a bill reading when five or fewer days remain before a session must end by law, or when four or fewer days remain before a bill must be reported from the House under a cut-off resolution. (House Rules 10 & 30)

Actions requiring a majority of members present.

1. To change time of meeting. (House Rule 13(A))
2. To decide case of member called to order. (House Rule 17(J))
3. To postpone indefinitely a bill, etc. (House Rule 15(C))
4. To postpone a bill to a certain day. (House Rule 15(C))
5. To allow a member to speak more than twice on any question. (House Rule 16(C))
6. To excuse a member from voting. (House Rule 19)
7. To reconsider. (House Rule 20)
8. To withdraw a bill, motion, etc. (House Rule 17(B))
9. To pass motions and resolutions other than specified.
10. To allow reading of a paper. (House Rule 17(C))
11. To amend legislative measures. (House Rule 11)
12. To transmit immediately bills, memorials, etc. to Senate.
13. To demand a bill be read in full on third reading. (House Rule 10(D))

Actions requiring two-thirds vote of members present.

1. To order previous question. (House Rule 18)
2. Temporary suspension of any House rule. (House Rule 30)
3. To postpone special order for consideration of bill, etc. (Reed's)
4. To postpone bill indefinitely, on first reading. (House Rule 15(C))
5. For bills on the suspension calendar, to adopt the committee recommendations and move the bill to third reading. (House Rule 10(E))

Actions requiring presence of eight members or more.

1. May demand Call of House in the absence of a quorum. (House Rule 13(B))

Actions requiring consent of one-sixth of members present.

1. Demand for oral roll call. (Const., Art. II, Sec. 21 and House Rule 19(F))
2. May demand Call of the House. (House Rule 21)

Actions requiring two-thirds vote of members elected to the House (66 votes).

1. To amend initiative within two years of enactment by people. (Const., Art II, Sec.41)
2. May expel a member. (Const., Art. II, Sec 9)
3. To introduce legislation within ten days of the end of session. (Const., Art. II, Sec. 36)

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).

1. May abolish the office of the Lieutenant Governor. (Const., Art. III, Sec 25)
2. May abolish the office of State Auditor, (Const., Art. III, Sec. 25)
3. May abolish the Office of Commissioner of Public Lands. (Const., Art. III, Sec. 25)

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).

1. To consider a bill introduced during the last ten days of session. (Const., Art. II, Sec. 36)
2. To call a constitutional convention. (Const., Art. XXIII, Sec. 2)
3. To pass a constitutional amendment. (Const., Art, XXIII, Sec. 1)
4. To amend the Constitution (Const., Art. XXIII, Sec. 1)

Action requiring two-thirds vote of the members present in both houses.

1. To pass a measure over the veto of the Governor. (Const., Art. III, Sec. 12)

Actions requiring three-fourths vote of all members elected to both houses.

1. May remove judicial officers. (Const., Art. IV, Sec 9)
2. May remove Attorney General. (Const., Art. IV, Sec. 9)

Actions requiring majority of both houses.

1. To adjourn for more than three days. (Const., Art. II, Sec. 11)

Permanent Rules of the House of Representatives

Fifty-ninth Legislature
2005 – 2006

House Rule No.

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Definitions

Rule 1. "Absent" means an unexcused failure to attend.

"Term" means the two-year term during which the members as a body may act.

"Session" means a constitutional gathering of the house in accordance with Article 2 § 12 of the state Constitution.

"Committee" means any standing, conference, joint, or select committee as so designated by rule or resolution.

"Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

Chief Clerk to Call to Order

Rule 2. It shall be the duty of the chief clerk of the previous term to call the house to order and to conduct the proceedings until a speaker is chosen.

Election of Officers

Rule 3. The house shall elect the following officers at the commencement of each term: 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; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding term: *Provided, however,* That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

Powers and Duties of the Speaker

Rule 4. The speaker shall have the following powers and duties:

(A) The speaker shall take the chair and call the house 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 and shall proceed with the order of business.

(B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.

(C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.

(D) The speaker shall sign all bills in open session. (Art. II § 32)

(E) The speaker shall sign all writs, warrants, and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) The speaker, in open session, shall appoint committee chairs from the majority party of the house and shall appoint members to committees in the same ratio as the membership of the respective parties of the house, unless otherwise provided by law or house rules.

(H) The speaker shall serve as chair of the rules committee.

(I) The speaker shall have charge of and see that all officers, attaches, and clerks perform their respective duties.

(J) The speaker pro tempore shall exercise the duties, powers, and prerogatives of the speaker in the event of the speaker's death, illness, removal, or inability to act until the speaker's successor shall be elected.

Chief Clerk

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, upon the recommendation of the employment committee and, subject to the approval of the speaker,

all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal, or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

Duties of Employees

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. 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.

Admission to the House

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) The sergeant at arms shall admit only the following individuals to the wings and adjacent areas of the house chamber for the period of time beginning one-half hour prior to convening and ending one-half hour following the adjournment of the house's daily session:

The governor or designees, or both;
Members of the senate;
State elected officials;
Officers and authorized employees of the legislature;
Former members of the house who are not advocating any pending or proposed legislation;
Representatives of the press;
Other persons with the consent of the speaker.

(B) Only members, pages, sergeants at arms, and clerks are permitted on the floor while the house is in session.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session 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.

Absentees and Courtesy

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

Bills, Memorials and Resolutions - Introductions

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced at the next daily session, in the order filed: *Provided*, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any member or member-elect may prefile a bill with the chief clerk commencing twenty (20) days before any session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the term shall be eligible for action at all subsequent sessions during the term.

Reading of Bills

Rule 10. Every bill shall be read on three separate days: *Provided*, That this rule may be temporarily suspended at any time by a two-thirds (2/3) vote of the members present; and that on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended by a majority vote.

A bill may be returned to second reading for the purpose of amendment by a suspension of the rules: *Provided*, That on and

after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, this rule may be suspended and a bill returned to second reading for the purpose of amendment by a majority vote.

(A) First Reading. 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 the bill shall be referred to an appropriate committee.

Upon being reported out of committee, all bills shall be referred to the rules committee, unless otherwise ordered by the house.

The rules committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) Second Reading. 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 amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member, and read by the clerk. All amendments adopted during second reading shall be securely fastened 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.

(C) 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 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.

(D) Third Reading. Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third

reading but it may be referred or recommitted for the purpose of amendment.

(E) Suspension Calendar. Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading.

(F) House resolutions. House resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. If a rules committee meeting is not scheduled to occur prior to a time necessitated by the purpose of a house resolution, the majority leader and minority leader by agreement may waive transmission to the rules committee to permit consideration of the resolution by the house. The rules committee may adopt house resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house. No more than one resolution per day may be scheduled for consideration by the house except by mutual agreement of the majority leader and minority leader: *Provided*, That this limit does not apply to resolutions necessary for the operation of the house nor to resolutions scheduled for consideration on pro forma session days.

(G) Concurrent resolutions. Reading of concurrent resolutions may be advanced by majority vote.

Amendments

Rule 11. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 10(E) and as follows:

(A) Amendments to be offered in proper form. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) Committee amendments. 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 before any amendments that may be offered from the floor.

(C) Senate amendments to house bills. 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 the appropriate committee and shall take the same course as for original bills unless a motion not to concur is adopted prior to the bill being referred to committee.

(D) Amendments to be germane. 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.

(E) Scope and object not to be changed. No amendment to any bill shall be allowed which shall change the scope and object of the bill. This objection may be raised at any time an amendment is under consideration. The speaker may allow the person raising the objection and the mover of the amendment to provide brief arguments as to the merits of the objection. (Art. II § 38)

(F) No amendment by reference. No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) Title amendments. The subject matter portion of a bill title shall not be amended in committee or on second reading. Changes to that part of the title after the subject matter statement shall either be presented with the text amendment or be incorporated by the chief clerk in the engrossing process.

Final Passage

Rule 12. Rules relating to bills on final passage are as follows:

(A) Recommitment before final passage. A bill may be recommitted at any time before its final passage.

(B) Final passage. 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. (Art. II § 22)

(C) Bills passed - Certification. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

Hour of Meeting, Roll Call and Quorum

Rule 13. (A) Hour of meeting. The speaker shall call the house to order each day of sitting at 10:00 a.m., unless the house shall have adjourned to some other hour.

(B) Roll call and quorum. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused 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. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 21(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 p.m. of each working day. This rule may be suspended by a majority vote.

Daily Calendar and Order of Business

Rule 14. The rules relating to the daily calendar and order of business are as follows:

(A) Daily calendar. Business of the house 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.

(B) Unfinished business. 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.

(C) Exceptions. Exceptions to the order of business are as follows:

(1) The order of business may be changed by a majority vote of those present.

(2) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(3) House resolutions and messages from the senate, governor, or other state officials may be read at any time.

Motions

Rule 15. Rules relating to motions are as follows:

(A) Motions to be entertained or debated. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion 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.

(B) Motions in order during debate. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn
Adjourn to a time certain
Recess to a time certain

Reconsider
Demand for division
Question of privilege
Orders of the day

(2) 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

(3) Incidental motions:
Points of order and appeal
Method of consideration
Suspension of the rules
Reading papers
Withdraw a motion
Division of a question

(C) The effect of postponement - Motions to postpone or commit. Once decided, no motion to postpone to a day certain, to commit, or to postpone indefinitely shall again be allowed on the same day and at the same stage of the proceedings. 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.

(D) Motions decided without debate. A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 22.

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) Motion to adjourn. A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

Members Right to Debate

Rule 16. The methods by which a member may exercise his or her right to debate are as follows:

(A) Recognition of member. When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) Order of speaking. When two or more members arise at once, the speaker shall name the one who is to speak.

(C) Limitation of debate. No member shall speak longer than ten (10) minutes without consent of the house: *Provided,* That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: *Provided,* That the chair of the committee or the mover of the question may close debate if it is consistent with Rule 18 (Previous Question).

Rules of Debate

Rule 17. The rules for debate in the house are as follows:

(A) Question of privilege. Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) Withdrawal of motion, bill, etc. 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.

(C) Reading of a paper. 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.

(D) Distribution of materials. Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) Order of questions. 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.

(F) Division of points of debate. 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.

(G) Decorum of members. 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.

(H) Remarks confined. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) Exception to words spoken in debate. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. 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.

(J) Transgression of rules - Appeal. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member 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 prevail.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

Ending of Debate - Previous Question

Rule 18. The previous question may be ordered by a two-thirds (2/3) vote of the members present on all recognized motions or amendments which are debatable.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative _____ 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 it 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 when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

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.

Voting

Rule 19. (A) Putting of question. The speaker shall put the question in the following form: "The question before the house is (state

the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) All members to vote. Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

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.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) Change of vote. When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) Private interest. No member shall vote on any question which affects that member privately and particularly. 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. (Art. II § 30)

(E) Interruption of roll call. Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) Yeas and nays - Recorded votes. Upon the final passage of any bill, 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 (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

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. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) Tie vote, question loses. In case of an equal division, the question shall be lost.

(H) Division. If the speaker is in doubt, or if division is called for by any member, the house shall divide.

Reconsideration

Rule 20. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: *Provided,* That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken.

A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

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.

Call of the House

Rule 21. One-sixth (1/6) 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.

(A) Doors to be closed. When call of the house has been 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, while the house stands at ease: and *Provided further,* That

the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) Sergeant at arms to bring in the absentees. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused 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.

(C) House under call. 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 excuse absentees, or a motion to dispense with the call of the house. The motion to proceed with business under the call of the house and the motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof. The motion to dispense with the call of the house may be adopted by a majority of the members present.

Appeal from Decision of Chair

Rule 22. 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?"

Standing Committees

Rule 23. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Appropriations 29
2. Capital Budget 29
3. Children & Family Services 9
4. Commerce & Labor 7
5. Criminal Justice & Corrections 7

6. Economic Development, Agriculture & Trade 23
7. Education 11
8. Finance 9
9. Financial Institutions & Insurance 11
10. Health Care 15
11. Higher Education 13
12. Housing 9
13. Judiciary 10
14. Juvenile Justice & Family Law 7
15. Local Government 7
16. Natural Resources, Ecology & Parks 11
17. Rules 17
18. State Government, Operations & Accountability 9
19. Technology, Energy & Communications 11
20. Transportation 27

Committee members shall be selected by each party's caucus. The majority party caucus shall select all committee chairs.

Duties of Committees

Rule 24. House committees shall operate as follows:

(A) Notice of committee meeting. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: *Provided,* That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) Committee quorum. A majority of any committee shall constitute a quorum for the transaction of business.

(C) Session meetings. No committee shall sit while the house is in session without special leave of the speaker.

(D) Duties of standing committees.

(1) 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.

(2) 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: *Provided,* That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass," "do pass as amended," or that "the substitute bill be substituted therefor and that the substitute bill do pass."

(3) Members of the committee not concurring in the majority report may prepare a written minority report containing a recommendation of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report.

(4) 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.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage. For purposes of this subsection, fiscal committee means the appropriations, capital budget, finance, and transportation committees.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) 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.

(9) A standing committee to which a bill was originally referred shall, prior to voting the bill out of committee, consider whether the bill authorizes rule-making powers or requires the exercise of rule-making powers and, if so, consider:

(a) The nature of the new rule-making powers; and
(b) To which agencies the new rule-making powers would be delegated and which agencies, if any, may have related rule-making powers.

Standing Committees - Expenses - Subpoena Power

Rule 25. Regardless of whether the legislature is in session, members of the house may receive from moneys appropriated for the legislature, reimbursement for necessary travel expenses, and payments in lieu of subsistence and lodging for conducting official business of the house.

The standing committees of the house may have the powers of subpoena, the power to administer oaths, and the power to issue commissions for the examination of witnesses in accordance with the provisions of chapter 44.16 RCW. Before a standing committee of the house may issue any process, the committee chairperson shall submit for approval of the executive rules committee a statement of purpose setting forth the name or names of those subject to process. The process shall not be issued prior to approval by the executive rules committee. The process shall be limited to the named individuals.

Vetoed Bills

Rule 26. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider 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 term, after which they shall be filed with the secretary of state.

Suspension of Compensation

Rule 27. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities, and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities, and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since sentencing shall be forthwith paid, and the member shall thereafter have the rights and privileges of other members.

Smoking

Rule 28. Smoking of cigarettes, pipes, or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within House facilities.

"No smoking" signs shall be posted so as to give notice of this rule.

Parliamentary Rules

Rule 29. 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.

Standing Rules Amendment

Rule 30. Any standing rule may be rescinded or changed by a majority vote of the members elected: *Provided,* That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds (2/3) vote of the members present except as provided in Rule 10.

Rules to Apply for Assembly

Rule 31. The permanent house rules adopted at the beginning of the term are to govern all acts of the house during the course of the term unless amended or repealed.

Legislative Mailings

Rule 32. The House of Representatives directs the house executive rules committee to adopt procedures and guidelines to ensure that all legislative mailings at public expense are for legitimate legislative purposes.

Liquor

Rule 33. The House of Representatives shall strictly adhere to the liquor laws of the state of Washington, including provisions relating to banquet and special occasion permits. The proper permits must always be obtained before consumption of liquor in any house facility.

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House Forms of Motions

Foreword
For the convenience of the members

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 session. Secondly, we have *Reed's Parliamentary Rules* which apply to all parliamentary questions not covered specifically by the House Rules. The two 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 motions, including the proper wording of these. A careful study of and frequent reference to this summary should enable the new members to "feel at home" on the floor and in the committee rooms of our distinguished House of Representatives.

Motions From the Floor

A member must rise (from his or her 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 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.

Note: 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 Representative from _____ speaking on the motion before the House? or, Are the remarks of the representative germane to the motion before the House? etc.)

Point of Information

Mr. Speaker:* * * * I rise to a point of information. (What are we voting on? What is the motion before the House? etc.)

To Ask a Member a Question

Mr. Speaker:* * * * Will the Representative from _____ yield to a question?

To Divide the Question

Mr. Speaker:* * * * I move that the question be divided: e.g. that the authorization of the special committee be acted on first, and that the expenditures authorized be acted on 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.

Note: This motion is not debatable. A two-thirds vote of members present is required to order the previous question. If adopted, debate is closed except as provided in House Rule 18.

Note: This question is not debatable. Sec. 110 - Reed's.

To Demand a Roll Call on Any Motion

Mr. Speaker:* * * * I demand (an electric or oral) roll call on the motion.

Note: 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.

To Indefinitely Postpone

Mr. Speaker:* * * * I move that House Bill No. _____ be indefinitely postponed.

Note: This motion opens the whole question to debate. Once a bill, memorial, joint or concurrent resolution has been indefinitely postponed, it can never again be acted on during the session.

To Lay On the Table

Mr. Speaker:* * * * I move that (the motion, the bill, the amendment) be laid on the table.

Note 1: 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.

Note 2: A motion to lay an amendment on the table carries the main question with it.

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 second reading of bills.

Note: A majority vote of those present will carry the motion. House Rule 14(c).

To Appeal a Decision of the Speaker

Mr. Speaker:* * * * I appeal from the decision of the Speaker.

Note: 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.

Note: 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 Representative(s) _____ 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.

Note: 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 to Second 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.

Note: A motion to suspend the rules requires a two-thirds vote of those present to carry, except as provided in House Rule 10.

To Substitute a Bill

Mr. Speaker:* * * * I move that Substitute House Bill No. _____ be Substituted for House Bill No. _____ and that Substitute House Bill No. _____ take its place on today's second reading calendar.

To Advance a Bill to Third 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.

Note: 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, except as provided in House Rule 10.

To Adopt a Bill on the Suspension Calendar

Mr. Speaker:* * * * I move that the committee recommendations be adopted and House Bill No. _____ be advanced to third reading.

Note: 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 t he Rules Committee to be placed on the second reading calendar at a later date. This motion 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 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.

Note: A motion to suspend the rules requires a two-thirds vote of those present to carry, except as provided in House Rule 10.

To Pass a Vetoed Bill

Mr. Speaker:* * * * I move that House Bill No. _____ do pass the House, notwithstanding the veto of the Governor.

Note: 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 _____.

To Reconsider a Vote

Mr. Speaker:* * * * I move that the House (immediately) reconsider the vote by which House Bill No. _____ (amendment or motion) passed/failed.

Note 1: AMENDMENTS A motion to reconsider an amendment may be made at any time the bill remains on second reading. (House Rule 20.)

Note 2: FINAL PASSAGE Notice of a motion for reconsideration of final passage must be made on the day the vote was taken, and the motion to reconsider must be taken up on the next working day (except at the end of session or before a cut-off as provided in House Rule 20).

To Serve Notice of Reconsideration

Mr. Speaker:* * * * I serve notice of a motion for reconsideration of House Bill No. _____ on the next working day.

Membership of House Standing Committees

2005 – 2006

Appropriations (29) — Sommers, Chair (D); Fromhold, Vice Chair (D); *Alexander; **Anderson; **McDonald; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott; Walsh

Capital Budget (29) — Dunshee, Chair (D); Ormsby, Vice Chair (D); *Jarrett; **Hankins; Blake; Chase; Cox; DeBolt; Eickmeyer; Ericks; Ericksen; Flannigan; Green; Hasegawa; Holmquist; Kretz; Kristiansen; Lantz; McCune; Moeller; Morrell; Newhouse; O'Brien; Roach; Schual-Berke; Serben; Springer; Strow; Upthegrove

Children & Family Services (9) — Kagi, Chair (D); Roberts, Vice Chair (D); *Hinkle; **Walsh; Darneille; Dickerson; Dunn; Haler; Pettigrew

Commerce & Labor (7) — Conway, Chair (D); Wood, Vice Chair (D); *Condotta; **Sump; Crouse; Hudgins; McCoy

Criminal Justice & Corrections (7) — O'Brien, Chair (D); Darneille, Vice Chair (D); *Pearson; **Ahern; Kagi; Kirby; Strow

Economic Development, Agriculture & Trade (23) — Linville, Chair (D); Pettigrew, Vice Chair (D); *Kristiansen; **Skinner; Blake; Buri; Chase; Clibborn; Condotta; Dunn; Grant; Haler; Holmquist; Kenney; Kilmer; Kretz; McCoy; Morrell; Newhouse; Quall; Strow; Sullivan, P.; Wallace

Education (11) — Quall, Chair (D); Sullivan, P., Vice Chair (D); *Talcott; **Anderson; Curtis; Haigh; Hunter; McDermott; Santos; Shabro; Tom

Finance (9) — McIntire, Chair (D); Hunter, Vice Chair (D); *Orcutt; **Roach; Ahern; Conway; Ericksen; Hasegawa; Santos

Financial Institutions & Insurance (11) — Kirby, Chair (D); Ericks, Vice Chair (D); *Roach; **Tom; Newhouse; Santos; Schual-Berke; Serben; Simpson; Strow; Williams

Health Care (15) — Cody, Chair (D); Morrell, Vice Chair (D); Campbell, Vice Chair (R);*Bailey; **Curtis; Alexander; Appleton; Clibborn; Condotta; Green; Hinkle; Lantz; Moeller; Schual-Berke; Skinner

Higher Education (13) — Kenney, Chair (D); Sells, Vice Chair (D); *Cox; **Rodne; Buri; Dunn; Fromhold; Hasegawa; Jarrett; Ormsby; Priest; Roberts; Sommers

Housing (9) — Miloscia, Chair (D); Springer, Vice Chair (D); *Holmquist; **Dunn; McCune; Ormsby; Pettigrew; Schindler; Sells

Judiciary (10) — Lantz, Chair (D); Flannigan, Vice Chair (D); Williams, Vice Chair (D); *Priest; **Rodne; Campbell; Kirby; Serben; Springer; Wood

Juvenile Justice & Family Law (7) — Dickerson, Chair (D); Moeller, Vice Chair (D); *McDonald; **McCune; Crouse; Lovick; Roberts

Local Government (7) — Simpson, Chair (D); Clibborn, Vice Chair (D); *Schindler; **Ahern; Sullivan, B.; Takko; Woods

Natural Resources, Ecology & Parks (11) — Sullivan, B., Chair (D); Upthegrove, Vice Chair (D); *Buck; **Kretz; Blake; DeBolt; Dickerson; Eickmeyer; Hunt; Orcutt; Williams

Rules (17) — Chopp, Chair (D); *Chandler; **Armstrong; Anderson; Blake; Clibborn; Ericksen; Flannigan; Grant; Hudgins; Hunt; Kessler; Lovick; McDonald; Morrell; Shabro; Tom

Select Committee on Hood Canal (7) — Eickmeyer, Chair (D); McCoy, Vice Chair (D); *Pearson; **Sump; Appleton; Chase; Walsh

State Government Operations & Accountability (9) — Haigh, Chair (D); Green, Vice Chair (D); *Nixon; **Clements; Hunt; McDermott; Miloscia; Schindler; Sump

Technology, Energy & Communications (11) — Morris, Chair (D); Kilmer, Vice Chair (D); *Crouse; **Haler; Ericks; Hudgins; Nixon; Sullivan, P.; Sump; Takko; Wallace

Transportation (27) — Murray, Chair (D); Wallace, Vice Chair (D); *Woods; **Skinner; Appleton; Buck; Campbell; Curtis; Dickerson; Ericksen; Flannigan; Hankins; Hudgins; Jarrett; Kilmer; Lovick; Morris; Nixon; Rodne; Schindler; Sells; Shabro; Simpson; Sullivan, B.; Takko; Upthegrove; Wood

* Ranking Minority Member
** Assistant Ranking Minority Member

Member Assignments to House Standing Committees

2005 – 2006

Ahern, John — **Criminal Justice & Corrections; **Local Government; Finance

Alexander, Gary — *Appropriations; Health Care

Anderson, Glenn — **Appropriations; **Education; Rules

Appleton, Sherry — Health Care; Select Committee on Hood Canal; Transportation

Armstrong, Mike — **Rules; Appropriations

Bailey, Barbara — *Health Care; Appropriations

Blake, Brian — Capital Budget; Economic Development, Agriculture & Trade; Natural Resources, Ecology & Parks; Rules

Buck, Jim — *Natural Resources, Ecology & Parks; Transportation

Buri, David — Appropriations; Economic Development, Agriculture & Trade; Higher Education

Campbell, Tom — Health Care, Vice Chair; Judiciary; Transportation

Chandler, Bruce — *Rules

Chase, Maralyn — Capital Budget; Economic Development, Agriculture & Trade; Select Committee on Hood Canal

Chopp, Frank — Rules, Chair

Clements, Jim — **State Government Operations & Accountability; Appropriations

Clibborn, Judy — Local Government, Vice Chair; Economic Development, Agriculture & Trade; Health Care; Rules

Cody, Eileen — Health Care, Chair; Appropriations

Condotta, Cary — *Commerce & Labor; Economic Development, Agriculture & Trade; Health Care

Conway, Steve — Commerce & Labor, Chair; Appropriations; Finance

Cox, Don — *Higher Education; Capital Budget

Crouse, Larry — *Technology, Energy & Communications; Commerce & Labor; Juvenile Justice & Family Law

Curtis, Richard — **Health Care; Education; Transportation

Darneille, Jeannie — Criminal Justice & Corrections, Vice Chair; Appropriations; Children & Family Services

DeBolt, Richard — Capital Budget; Natural Resources, Ecology & Parks

Dickerson, Mary Lou — Juvenile Justice & Family Law, Chair; Children & Family Services; Natural Resources, Ecology & Parks; Transportation

Dunn, Jim — **Housing; Children & Family Services; Economic Development, Agriculture & Trade; Higher Education

Dunshee, Hans — Capital Budget, Chair; Appropriations

Eickmeyer, William "Ike" — Select Committee on Hood Canal, Chair; Capital Budget; Natural Resources, Ecology & Parks

Ericks, Mark — Financial Institutions & Insurance, Vice Chair; Capital Budget; Technology, Energy & Communications

Ericksen, Doug — Capital Budget; Finance; Rules; Transportation

Flannigan, Dennis — Judiciary, Vice Chair; Capital Budget; Rules; Transportation

Fromhold, Bill — Appropriations, Vice Chair; Higher Education

Grant, Bill — Appropriations; Economic Development, Agriculture & Trade; Rules

Green, Tami — State Government Operations & Accountability, Vice Chair; Capital Budget; Health Care

Haigh, Kathy — State Government Operations & Accountability, Chair; Appropriations; Education

Haler, Larry — **Technology, Energy & Communications; Children & Family Services; Economic Development, Agriculture & Trade

Hankins, Shirley — **Capital Budget; Transportation

Hasegawa, Bob — Capital Budget; Finance; Higher Education

Hinkle, Bill — *Children & Family Services; Appropriations; Health Care

Holmquist, Janéa — *Housing; Capital Budget; Economic Development, Agriculture & Trade

Hudgins, Zack — Commerce & Labor; Rules; Technology, Energy & Communications; Transportation

Hunt, Sam — Natural Resources, Ecology & Parks; Rules; State Government Operations & Accountability

Hunter, Ross — Finance, Vice Chair; Appropriations; Education

Jarrett, Fred — *Capital Budget; Higher Education; Transportation

Kagi, Ruth — Children & Family Services, Chair; Appropriations; Criminal Justice & Corrections

Kenney, Phyllis — Higher Education, Chair; Appropriations; Economic Development, Agriculture & Trade

Kessler, Lynn — Appropriations; Rules

Kilmer, Derek — Technology, Energy & Communications, Vice Chair; Economic Development, Agriculture & Trade; Transportation

Kirby, Steve — Financial Institutions & Insurance, Chair; Criminal Justice & Corrections; Judiciary

Kretz, Joel — **Natural Resources, Ecology & Parks; Capital Budget; Economic Development, Agriculture & Trade

Kristiansen, Dan — *Economic Development, Agriculture & Trade; Capital Budget

Lantz, Patricia — Judiciary, Chair; Capital Budget; Health Care

Linville, Kelli — Economic Development, Agriculture & Trade, Chair; Appropriations

Lovick, John — Juvenile Justice & Family Law; Rules; Transportation

McCoy, John — Select Committee on Hood Canal, Vice Chair; Commerce & Labor; Economic Development, Agriculture & Trade

McCune, Jim — **Juvenile Justice & Family Law; Capital Budget; Housing

McDermott, Joe — Appropriations; Education; State Government Operations & Accountability

McDonald, Joyce — *Juvenile Justice & Family Law; **Appropriations; Rules

McIntire, Jim — Finance, Chair; Appropriations

Miloscia, Mark — Housing, Chair; Appropriations; State Government Operations & Accountability

Moeller, Jim — Juvenile Justice & Family Law, Vice Chair; Capital Budget; Health Care

Morrell, Dawn — Health Care, Vice Chair; Capital Budget; Economic Development, Agriculture & Trade; Rules

Morris, Jeff — Technology, Energy & Communications, Chair; Transportation

Murray, Ed — Transportation, Chair

Newhouse, Daniel — Capital Budget; Economic Development, Agriculture & Trade; Financial Institutions & Insurance

Nixon, Toby — *State Government Operations & Accountability; Technology, Energy & Communications; Transportation

O'Brien, Al — Criminal Justice & Corrections, Chair; Capital Budget

Orcutt, Ed — *Finance; Natural Resources, Ecology & Parks

Ormsby, Timm — Capital Budget, Vice Chair; Higher Education; Housing

Pearson, Kirk — *Criminal Justice & Corrections; *Select Committee on Hood Canal; Appropriations

Pettigrew, Eric — Economic Development, Agriculture & Trade, Vice Chair; Children & Family Services; Housing

Priest, Skip — *Judiciary; Appropriations; Higher Education

Quall, Dave — Education, Chair; Economic Development, Agriculture & Trade

Roach, Dan — *Financial Institutions & Insurance; **Finance; Capital Budget

Roberts, Mary Helen — Children & Family Services, Vice Chair; Higher Education; Juvenile Justice & Family Law

Rodne, Jay — **Higher Education; **Judiciary; Transportation

Santos, Sharon Tomiko — Education; Finance; Financial Institutions & Insurance

Schindler, Lynn — *Local Government; Housing; State Government Operations & Accountability; Transportation

Schual-Berke, Shay — Appropriations; Capital Budget; Financial Institutions & Insurance; Health Care

Sells, Mike — Higher Education, Vice Chair; Housing; Transportation

Serben, John — Capital Budget; Financial Institutions & Insurance; Judiciary

Shabro, Jan — Education; Rules; Transportation

Simpson, Geoff — Local Government, Chair; Financial Institutions & Insurance; Transportation

Skinner, Mary — **Economic Development, Agriculture & Trade; **Transportation; Health Care

Sommers, Helen — Appropriations, Chair; Higher Education

Springer, Larry — Housing, Vice Chair; Capital Budget; Judiciary

Strow, Chris — Capital Budget; Criminal Justice & Corrections; Economic Development, Agriculture & Trade; Financial Institutions & Insurance

Sullivan, Brian — Natural Resources, Ecology & Parks, Chair; Local Government; Transportation

Sullivan, Pat — Education, Vice Chair; Economic Development, Agriculture & Trade; Technology, Energy & Communications

Sump, Bob — **Commerce & Labor; **Select Committee on Hood Canal; State Government Operations & Accountability; Technology, Energy & Communications

Takko, Dean — Local Government; Technology, Energy & Communications; Transportation

Talcott, Gigi — *Education; Appropriations

Tom, Rodney — **Financial Institutions & Insurance; Education; Rules

Upthegrove, Dave — Natural Resources, Ecology & Parks, Vice Chair; Capital Budget; Transportation

Wallace, Deb — Transportation, Vice Chair; Economic Development, Agriculture & Trade; Technology, Energy & Communications

Walsh, Maureen — **Children & Family Services; Appropriations; Select Committee on Hood Canal

Williams, Brendan — Judiciary, Vice Chair; Financial Institutions & Insurance; Natural Resources, Ecology & Parks

Wood, Alex — Commerce & Labor, Vice Chair; Judiciary; Transportation

Woods, Beverly — *Transportation; Local Government

* Ranking Minority Member
** Assistant Ranking Minority Memberber

Frank Chopp, Speaker — Rich Nafziger, Chief Clerk

Name of Member	District	Politics	County	Mailing Address	Birthyear - Birthplace	Occupation	Previous Yrs. Served
Ahern, John	6	R	Spokane (P)	3615 S Lincoln Dr Spokane, WA 99203	1934 - MT	Janco Products	2001-2004
Alexander, Gary	20	R	Lewis, Thurston (P)	7915 Lorna Dr. SE Olympia, WA 98503	1944 - WA	Deputy Auditor, Finance	1996-2004
Anderson, Glenn	5	R	King (P)	PO Box 1682 Issaquah, WA 98027	1958 - AL	Business Consultant	2001-2004
Appleton, Sherry	23	D	Kitsap (P)	PO Box 2112 Poulsbo, WA 98370	1942 - RI	Legislator	
Armstrong, Mike	12	R	Chelan, Douglas, Grant (P), Okanogan (P)	PO Box 40600 Olympia, WA 98504	1957 - WA	Chelan Public Utilities Dist.	2001-2004
Bailey, Barbara	10	R	Island, Skagit (P), Snohomish (P)	PO Box 40600 Olympia, WA 98504	1944 - MO	Mgmt / Training Consultant	2003-2004
Blake, Brian	19	D	Cowlitz (P), Grays Harbor (P), Pacific, Wahkiakum	PO Box 40600 Olympia, WA 98504	1960 - WA	Environmental Specialist	Appt. 12/17/2002, 2003-2004
Buck, Jim	24	R	Clallam, Grays Harbor (P), Jefferson	PO Box 40600 Olympia, WA 98504	1948 - NJ	Engineer	1995-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Buri, David	9	R	Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	PO Box 40600 Olympia, WA 98504 98504-0600	1962 - WA	Banker	
Campbell, Tom	2	R	Pierce (P), Thurston (P)	PO Box 40600 Olympia, WA 98504-0600	1954 - NY	Chiropractic Physician	1993-1996, 1999-2004
Chandler, Bruce	15	R	Clark (P), Klickitat, Skamania, Yakima (P)	PO Box 40600 Olympia, WA 98504-0600	1952 - WA	Orchardist	1999-2004
Chase, Maralyn	32	D	King (P), Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1942 - WA	Legislator	Appt. 1/7/2002, 2003-2004
Chopp, Frank	43	D	King (P)	4209 Sunnyside Ave N Seattle, WA 98103	1953 - WA	Executive Director	1995-2004
Clements, Jim	14	R	Yakima (P)	PO Box 548 Selah, WA 98942	1944 - WA	Orchardist	1995-2004
Clibborn, Judy	41	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1943 - OK	Chamber of Commerce Exec. Dir.	2003-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Cody, Eileen	34	D	King (P)	5209 36th Ave SW Seattle, WA 98126	1954 - IA	Registered Nurse	Appt. 6/2/1994, 1995-2004
Condotta, Cary	12	R	Chelan, Douglas, Grant (P), Okanogan (P)	3012 G.S. Center Rd Suite D Wenatchee, WA 98801	1957 - WA	Self-Empl. Motor Sports Dealer	2003-2004
Conway, Steve	29	D	Pierce (P)	PO Box 40600 Olympia, WA 98504-0600	1944 - OR	Labor Relations Specialist	Appt. 1/26/1993, 1994-2004
Cox, Don	9	R	Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	710 S Crestview Colfax, WA 99111	1939 - TX	Educational Administration	Appt. 1/28/1999, 2000-2004
Crouse, Larry	4	R	Spokane (P)	PO Box 40600 Olympia, WA 98504-0600	1944 - WA	Legislator	1995-2004
Curtis, Richard	18	R	Clark (P), Cowlitz (P)	PO Box 1805 La Center, WA 98629	1959 - NM	Fire Captain/ Paramedic	
Darneille, Jeannie	27	D	Pierce (P)	PO Box 7753 Tacoma, WA 98406	1949 - AK	Executive Director	2001-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
DeBolt, Richard	20	R	Lewis, Thurston (P)	PO Box 40600 Olympia, WA 98504-0600	1965 - WA	Public Relations	1997-2004
Dickerson, Mary Lou	36	D	King (P)	2208 NW Market St Ste 310 Seattle, WA 98107	1946 - OR	Program Manager	Appt. 11/28/1994, 1995-2004
Dunn, Jim	17	R	Clark (P)	13215 C-8 SE Mill Plain Blvd 362 Vancouver, WA 98684	1942 - AK	Retired	1997-2002
Dunshee, Hans	44	D	Snohomish (P)	506 10th St Snohomish, WA 98290	1954 - CA	Septic Designer	1993-1994; 1997-2004
Eickmeyer, William "Ike"	35	D	Grays Harbor (P), Kitsap (P), Mason, Thurston (P)	E 183 Coulter Creek Rd S Belfair, WA 98528	1939 - WA	Exec. Director	1998-2004
Ericks, Mark	1	D	King (P), Snohomish (P)	21721 35th Ave SE Bothell, WA 98021	1951 - WA	Chief of Police (reitred)	
Ericksen, Doug	42	R	Whatcom (P)	PO Box 40600 Olympia, WA 98504-0600	1969 - WA	Sales Representative	1999-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Flannigan, Dennis	27	D	Pierce (P)	1521 N 5th St Tacoma, WA 98403	1939 - WA	Observer	2003-2004
Fromhold, Bill	49	D	Clark (P)	PO Box 40600 Olympia, WA 98504-0600	1942 - WA	Retired	2001-2004
Grant, Bill	16	D	Benton (P), Columbia, Franklin (P), Walla Walla	527 Boyer Ave Walla Walla, WA 99362	1937 - WA	Farmer	1987-2004
Green, Tami	28	D	Pierce (P)	10316 93rd St SW Tacoma, WA 98498	1959 - NE	RN/Healthcare Organizer	
Haigh, Kathy	35	D	Grays Harbor (P), Kitsap (P), Mason, Thurston (P)	81 SE Walker Park Rd Shelton, WA 98584	1950 - OH	Veterinarian	1999-2004
Haler, Larry	8	R	Benton (P)	PO Box 1319 Richland, WA 99352	1951 - IA	Technical Trainer	
Hankins, Shirley	8	R	Benton (P)	1637 Mowry Sq Richland, WA 99354	KS	Retired (Hanford Employee)	1981-9/19/1990; 1995-2004 Appt. Senate 9/19/1990-11/6/1990

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Hasegawa, Bob	11	D	King (P)	PO Box 84331 Seattle, WA 98124	1952 - WA	Teamster Leader (retired)	
Hinkle, Bill	13	R	Grant (P), Kittitas, Yakima (P)	311 Anderson Ln Cle Elum, WA 98922	1956 - WA	Proj Dev & Mrkting Consultant	2003-2004
Holmquist, Janéa	13	R	Grant (P), Kittitas, Yakima (P)	PO Box 40600 Olympia, WA 98504-0600	1974 - AK	Self Employed	Appt. 12/7/2001, 2002-2004
Hudgins, Zack	11	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1968 - TX	High Technology Manager	Appt. 12/09/2002, 2003-2004
Hunt, Sam	22	D	Thurston (P)	4030 San Mar Dr NE Olympia, WA 98506	1942 - MT	Retired	2001-2004
Hunter, Ross	48	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1961 - PA	Retired Software Executive	2003-2004
Jarrett, Fred	41	R	King (P)	2949-181st Pl SE Mercer Island, WA 98040	1949 - MT	Project Mgr Boeing	2001-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Kagi, Ruth	32	D	King (P), Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1945 - WA	Commercial Real Estate	1999-2004
Kenney, Phyllis	46	D	King (P)	12345 30th Ave NE Ste E Seattle, WA 98125	MT	Consultant, Community Relation	Appt. 1/13/1997, 1998-2004
Kessler, Lynn	24	D	Clallam, Grays Harbor (P), Jefferson	PO Box 40600 Olympia, WA 98504-0600	1941 - WA	Legislator	1993-2004
Kilmer, Derek	26	D	Kitsap (P), Pierce (P)	PO Box 40600 Olympia, WA 98504-0600	1974 - WA	Economic Development Manager	
Kirby, Steve	29	D	Pierce (P)	9415 Tacoma Ave S Tacoma, WA 98444	1951 - WA	Finance Director	2001-2004
Kretz, Joel	7	R	Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	1014 Toroda Creek Rd Wayconda, WA 98859	1957 - WA	Rancher	

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Kristiansen, Dan	39	R	King (P), Skagit (P), Snohomish (P), Whatcom (P)	PO Box 2007 Snohomish, WA 98291	1962 - WA	Rep. of Wholesale Firm	2003-2004
Lantz, Patricia	26	D	Kitsap (P), Pierce (P)	PO Box 40600 Olympia, WA 98504-0600	1938 - WA	Attorney	1997-2004
Linville, Kelli	42	D	Whatcom (P)	3113 Eldridge Ave Bellingham, WA 98225	1948 - WA	Representative/ Small Business	1993-1994 1997-2004
Lovick, John	44	D	Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1951 - LA	Legislator	1999-2004
McCoy, John	38	D	Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1943 - WA	General Manager	2003-2004
McCune, Jim	2	R	Pierce (P), Thurston (P)	PO Box 40600 Olympia, WA 98504-0600	1950 - WA	Copper Riv. Salmon Prod. Prvdr.	11/19/1997, 1998
McDermott, Joe	34	D	King (P)	PO Box 16254 Seattle, WA 98116	1967 - WA	Senior Budget Analyst	2001-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
McDonald, Joyce	25	R	Pierce (P)	PO Box 1225 Puyallup, WA 98371	1952 - Scotland	Legislator	1997-1998, 2003-2004
McIntire, Jim	46	D	King (P)	7318 54th Ave NE Seattle, WA 98115	1953 - OH	Sr. Lecturer, Univ. of WA	1999-2004
Miloscia, Mark	30	D	King (P)	30720 19th Ave S Federal Way, WA 98003	1958 - MS	Legislator	1999-2004
Moeller, Jim	49	D	Clark (P)	PO Box 40600 Olympia, WA 98504-0600	1955 - WA	Substance Abuse Counselor	2003-2004
Morrell, Dawn	25	D	Pierce (P)	2106 Manorwood Dr SE Puyallup, WA 98374	1949 - ID	Registered Nurse	2003-2004
Morris, Jeff	40	D	San Juan, Skagit (P), Whatcom (P)	1004 Commercial Ave #303 Anacortes, WA 98221	1964 - WA	Public Relations Consultant	1997-2004
Murray, Ed	43	D	King (P)	324 15th Ave E Ste 103 Seattle, WA 98112	1955 - WA	Legislator	Appt. 11/4/1995, 1996-2004
Newhouse, Daniel	15	R	Clark (P), Klickitat, Skamania, Yakima (P)	2521 S Emerald Rd Sunnyside, WA 98944	1955 - WA	Self-Employed Farmer	2003-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Nixon, Toby	45	R	King (P)	12113 NE 141st Kirkland, WA 98034	1959 - CA	Software Architect	2001-2004
O'Brien, Al	1	D	King (P), Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1943 - WA	Retired Seattle Police Dept.	1997-2004
Orcutt, Ed	18	R	Clark (P), Cowlitz (P)	PO Box 1280 Kalama, WA 98625	1963 - ME	Professional Forester	Appt. 1/4/2002, 2003-2004
Ormsby, Timm	3	D	Spokane (P)	PO Box 40600 Olympia, WA 98504-0600	1959 - WA	Cement Mason	Appt. 9/30/2003, 2004
Pearson, Kirk	39	R	King (P), Skagit (P), Snohomish (P), Whatcom (P)	105 Pearson Ln Monroe, WA 98272	1958 - WA	Former Congressional Aide	2001-2004
Pettigrew, Eric	37	D	King (P)	PO Box 28660 Seattle, WA 98118	1960 - CA	Director of Urban Development	2003-2004
Priest, Skip	30	R	King (P)	PO Box 40600 Olympia, WA 98504-0600	1950 - NY	Land Mgmt. & Bus. Consultant	2003-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Quall, Dave	40	D	San Juan, Skagit (P), Whatcom (P)	P O Box 1142 Mount Vernon, WA 98273	1936 - WA	Counselor	1993-2004
Roach, Dan	31	R	King (P), Pierce (P)	5914 Graham St Ste 101 Sumner, WA 98390	1972 - CA	Mortgage Broker	2001-2004
Roberts, Mary Helen	21	D	Snohomish (P)	6710 128th St SW Edmonds, WA 98026	1947 - OR	Small Business Owner	
Rodne, Jay	5	R	King (P)	PO Box 40600 Olympia, WA 98504-0600	1966 - MN	Attorney	Appt. 1/20/2004
Santos, Sharon Tomiko	37	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1961 - CA	Legislator	1999-2004
Schindler, Lynn	4	R	Spokane (P)	19919 E Crestwood Ln Otis Orchards, WA 99027	1944 - WI	Property Mgr./Investments	Appt: 6/1/1998, 1999-2004
Schual-Berke, Shay	33	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1952 - NY	Cardiologist (Retired)	1999-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Sells, Mike	38	D	Snohomish (P)	2812 Lombard Ave Rm 210 Everett, WA 98201	1945 - WA	Labor Official	
Serben, John	6	R	Spokane (P)	PO Box 684 Mead, WA 99021	1968 - WA	Insurance Agent	
Shabro, Jan	31	R	King (P), Pierce (P)	3421 204th Ave Ct E Sumner, WA 98390	1940 - WA	Former Teacher	2003-2004
Simpson, Geoff	47	D	King (P)	16624 SE 254th Pl Covington, WA 98042	1962 - WA	Fire Fighter	2001-2004
Skinner, Mary	14	R	Yakima (P)	420 Aero View Yakima, WA 98908	1945 - CA	Teacher/Community Volunteer	1995-2004
Sommers, Helen	36	D	King (P)	PO Box 40600 Olympia, WA 98504-0600	1932 - NJ	Legislator	1973-2004
Springer, Larry	45	D	King (P)	700 20th Ave W Kirkland, WA 98033	1947 - WA	Retail Store Owner	
Strow, Chris	10	R	Island, Skagit (P), Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1969 - UK	Former Congressional Aide	

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Sullivan, Brian	21	D	Snohomish (P)	PO Box 40600 Olympia, WA 98504-0600	1958 - MT	Small Business Owner	Elected 11/21/2001-2004
Sullivan, Pat	47	D	King (P)	26513 168th Pl SE Covington, WA 98042	1962 - MN	Legislator	
Sump, Bob	7	R	Ferry, Lincoln, Okanogan (P), Pend Oreille, Spokane (P), Stevens	PO Box 40600 Olympia, WA 98504-0600	1941 - TX	Mining Industry	1997-2004
Takko, Dean	19	D	Cowlitz (P), Grays Harbor (P), Pacific, Wahkiakum	PO Box 40600 Olympia, WA 98504-0600	1950 - WA	Retired	
Talcott, Gigi	28	R	Pierce (P)	1320 Sunset Dr S Tacoma, WA 98465	1944 - CA	Educator	1993-2004
Tom, Rodney	48	R	King (P)	PO Box 594 Medina, WA 98039	1963 - WA	Real Estate Agent	2003-2004
Upthegrove, Dave	33	D	King (P)	21925 7th Ave S Apt 119 Des Moines, WA 98198	1971 - WA	Legislator	Appt. 1/7/2002, 2003-2004

Name of Member	District	Politics	County	Mailing Address	Birthyear Birthplace	Occupation	Previous Yrs. Served
Wallace, Deb	17	D	Clark (P)	14010 NE 6th St Vancouver, WA 98684	1957 - WA	Economic Development Director	2003-2004
Walsh, Maureen	16	R	Benton (P), Columbia, Franklin (P), Walla Walla	1227 Murphy Lane SE College Place, WA 99324	1960 - OH	Small Business Owner	
Williams, Brendan	22	D	Thurston (P)	PO Box 40600 Olympia, WA 98504-0600	1968 - OR	Attorney	
Wood, Alex	3	D	Spokane (P)	935 Glass Ave Apt 103 Spokane, WA 99205	1946 - Canada	State Legislator	1997-2004
Woods, Beverly	23	R	Kitsap (P)	PO Box 2466 Poulsbo, WA 98370	1950 - CA	Co-owner JR Woods Company	Appt. 12/2/1999, 2000-2004
Nafziger, Rich	Chief Clerk			PO Box 40600 Olympia, WA 98504-0600	1953 - WI	Administration	Appt. 10/22/2003, 2004
Wegeleben, William	Deputy Chief Clerk			PO Box 40600 Olympia, WA 98504-0600	1946 ID	Administration	1999-2004

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United States Executive

President George W. Bush (term expires 2009)
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500 . . . . . (202) 456-1414

e-mail: president@whitehouse.gov
Web site: www.whitehouse.gov

Vice President Dick Cheney(term expires 2009)
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e-mail: vice-president@whitehouse.gov
Web site: www.whitehouse.gov/vicepresident

Dennis Hastert, Speaker, U. S. House of Representatives
Washington, D.C. 20215. . . . . (202) 225-5604

Congressional Officials

United States Senators

Maria Cantwell (term expires January 2007)
U.S. Senator (D) Seattle
e-mail: Maria_cantwell@cantwell.senate.gov
Web site: www.cantwell.senate.gov/

717 Hart Senate Office Building
Washington, D.C. 20510. . . . . (202) 224-3441
Fax . . . . . (202) 228-0514

915 Second Ave., Suite 3206
Seattle 98174 . . . . . (206) 220-6400
Fax . . . . . (206) 220-6404

Thomas S. Foley Courthouse
W 920 Riverside, Suite 697
Spokane 99201 . . . . . (509) 353-2507
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Marshall House
1313 Officers Row
Vancouver 98661 . . . . . (360) 696-7838
Fax . . . . . (360) 696-7844

825 Jadwin Avenue, Suite 204/204A
Richland 99352 . . . . . (509) 946-8106
Fax . . . . . (509) 946-6937

950 Pacific Avenue, Suite 615
Tacoma, 98402 . . . . . (253) 572-2281
Fax . . . . . (253) 572-5979

2930 Wetmore Avenue, Suite 9B
Everett, 98201 . . . . . (425) 303-0114
Fax . . . . . (425) 303-8351

Patty Murray (term expires January 2011)
U.S. Senator (D) Seattle
e-mail: senator_murray@murray.senate.gov
Web site: http://murray.senate.gov

173 Russell Senate Office Building
Washington, D.C. 20510 . . . . . (202) 224-2621
Fax . . . . . (202) 224-0238

2988 Jackson Federal Building, 915 Second Ave.
Seattle 98174 . . . . . (206) 553-5545
Fax . . . . . (206) 553-0891

950 Pacific Ave., Suite 650
Tacoma 98402 . . . . . (253) 572-3636
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601 W. Main Ave., Suite 1213
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The Marshall House, 1323 Officer's Row
Vancouver 98661 . . . . . (360) 696-7797
Fax . . . . . (360) 696-7798

402 E. Yakima Avenue, Suite 390
Yakima, Washington 98901 . . . . . (509) 453-7462
Fax . . . . . (509) 453-7731

2930 Wetmore Avenue, Suite 903
Everett, Washington 98201 . . . . . (425) 259-6515
Fax . . . . . (425) 259-7152

United States Representatives

Jay Inslee (term expires January 2007)
1st District U.S. Representative (D) Mountlake Terrace

403 Cannon House Office building
Washington, D.C. 20515-4701. . . . . (202) 225 6311
Fax . . . . . (202) 226 1606

21905 64th Ave. W #101
Mountlake Terrace 98043 2278 . . . . . (425) 640 0233
Fax . . . . . (425) 776 7168

17791 Fjord Dr. NE #112
Poulsbo 98370-8481 . . . . . (360) 598-2342
Fax . . . . . (360) 598-3650
Web site: www.house.gov/inslee/

Rick Larsen (term expires January 2007)
2nd District U.S. Representative (D) Arlington

107 Canon House Office Building
Washington, DC 20515 . . . . . (202) 225-2605
Fax . . . . . (202) 225-4420
Web site: www.house.gov/larsen/

104 W. Magnolia, Room 303
Bellingham, WA 98225 . . . . . (360) 733-4500
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2930 Wetmore Ave., Ste. 9E
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Brian Baird (term expires January 2007)
3rd District U.S. Representative (D) Olympia

1421 Longworth House Office Building
Washington, D.C. 20515 . . . . . (202) 225-3536
Fax . . . . . (202) 225-3478
Web site: www.house.gov/baird/

1220 Main St. #360
Vancouver 98660 . . . . . (360) 695-6292
Fax . . . . . (360) 695-6197

120 Union Avenue
Suite 105
Olympia, WA 98501 . . . . . (360) 352-9768
Fax . . . . . (360) 352-9241

Doc Hastings (term expires January 2007)
4th District U.S. Representative (R) Pasco

1323 Longworth House Office building
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302 E Chestnut Ave.
Yakima 98901 . . . . . (509) 452-3243
Fax . . . . . (509) 452-3438

2715 St. Andrews Loop, Suite D
Pasco 99301. . . . . (509) 543-9396
Fax . . . . . (509) 545-1972

Cathy McMorris (term expires January 2007)
5th District U.S. Representative (R) Spokane

1708 Longworth House Office Building
Washington, DC 20515 . . . . . (202) 225-2006
Fax . . . . . (202) 225-3392
Web site: www.mcmorris.house.gov/

10 North Post, 6th Floor
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Fax . . . . . (509) 353-2412

555 South Main Street
Colville, WA 99114 . . . . . (509) 684-3481

29 S. Palouse Street
Walla Walla, WA 99362 . . . . . (509) 529-9358

Norm Dicks (term expires January 2007)
6th District U.S. Representative (D) Tacoma

2467 Rayburn House Office Building
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Fax . . . . . (202) 226-1176
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1717 Pacific Ave. S, Suite 2244
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345 Sixth Avenue, Suite 500
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332 East 5th Street
Port Angeles, WA 98362-3207 . . . . . (360) 452-3370

Jim McDermott (Term expires January 2007)
7th District U.S. Representative (D) Seattle

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Washington, D.C. 20515 . . . . . (202) 225-3106
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Web site: www.house.gov/mcdermott/

1809 7th Ave., Suite 1212
Seattle 98101 1399 . . . . . (206) 553-7170
Fax . . . . . (206) 553-7175

Dave Reichert (term expires January 2007)
8th District U.S. Representative (R) Bellevue

1223 Longworth House Office Building
Washington, DC 20515 . . . . . (202) 225-7761
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Web site: www.house.gov/reichert/

2737 78th Ave, S.E.
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Adam Smith (term expires January 2007)
9th District U.S. Representative (D) Federal Way
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Washington State Officials

Governor Christine Gregoire
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Lieutenant Governor Brad Owen
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e-mail: owen_br@leg.wa.gov

Secretary of State Sam Reed
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Treasurer Mike Murphy
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Auditor Brian Sonntag
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Attorney General Rob McKenna
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Superintendent of Public Instruction Terry Bergeson
Old Capitol Building
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Insurance Commissioner Mike Kreidler
5000 Capitol Boulevard
PO Box 40255
Olympia, WA 98504-0255 . . . . . (360) 725-7000
Web site: www.insurance.wa.gov

Commissioner of Public Lands Doug Sutherland
Natural Resources Building
PO Box 47001
Olympia, WA 98504-7001. . . . . (360) 902-1004
Fax . . . . . (360) 902-1775
Web site: www.dnr.wa.gov

Nonpartisan Judiciary

Supreme Court

Term Expires

Chief Justice Gerry L. Alexander . . . . . January 2007
Associate Chief Justice Charles W. Johnson . . . . . January 2009
Justice Bobbe J. Bridge . . . . . January 2009
Justice Tom Chambers. . . . . January 2007
Justice Mary Fairhurst . . . . . January 2009
Justice James M. Johnson . . . . . January 2011
Justice Barbara A. Madsen . . . . . January 2011
Justice Susan J. Owens . . . . . January 2007
Justice Richard B. Sanders . . . . . January 2011
Temple of Justice
415 12th St W
PO Box 40929
Olympia 98504-0929. . . . . (360) 357-2077

Clerk, C.J. Merrit
Deputy Clerk, Ronald R. Carpenter
State Law Librarian, Kay Newman
Administrator for the Courts, Janet McLane

Court of Appeals

Division I – Seattle
One Union Square, 600 University St
Seattle 98101-1176 . . . . . (206) 464-7750

Judge Susan R. Agid . . . . . January 2006
Judge Marlin J. Appelwick . . . . . January 2007
Judge William W. Baker . . . . . January 2009
Chief Judge Mary Kay Becker . . . . . January 2007
Judge H. Joseph Coleman . . . . . January 2009
Chief Judge Ronald E. Cox . . . . . January 2007
Acting Judge Anne L. Ellington . . . . . January 2010
Judge C. Kenneth Grosse . . . . . January 2011
Judge Faye Kennedy . . . . . January 2011
Judge Ann Schindler . . . . . January 2009

Division II – Tacoma
950 Broadway, Suite 300 MS TB-06
Tacoma 98402-4427

Judge David Armstrong. . . . . January 2007
Judge C. C. Bridgewater . . . . . January 2011
Presiding Chief Judge Elaine Houghton . . . . . January 2009
Judge J. Robin Hunt . . . . . January 2009
Acting Chief Judge J. Dean Morgan . . . . . January 2007
Chief Judge Christine J. Quinn-Brintnall . . . . . January 2007
Judge MaryWave Van Deren . . . . . January 2009

Division III – Spokane
500 N Cedar St
Spokane 99201-1987 . . . . . (509) 456-3082

Judge Stephen M. Brown . . . . . January 2009
Chief Judge Kenneth H. Kato . . . . . January 2009
Judge Frank L. Kurtz. . . . . January 2007
Judge John A. Schultheis. . . . . January 2007
Acting Chief Judge Dennis J. Sweeney . . . . . January 2011