
HOUSE JOINT RESOLUTION 4208

State of Washington

68th Legislature

2024 Regular Session

By Representative Ramos

Prefiled 12/29/23.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state the
4 secretary of state shall submit to the qualified voters of the state
5 for their approval and ratification, or rejection, an amendment to
6 Article I, sections 7, 9, 11, 22, 24, and 33; Article II, sections 1,
7 7, 13, 14, 15, 23, 25, 28, 30, and 43; Article III, sections 2, 6, 7,
8 8, 12, 16, 17, 19, 20, 21, and 22; Article IV, sections 3, 3A, 4, 5,
9 7, 8, 9, 13, 17, 18, 19, 20, 22, 26, 28, 29, and 31; Article VI,
10 sections 4 and 6; Article X, section 1; Article XI, section 8;
11 Article XII, sections 4, 12, 19, and 21; Article XVII, section 1;
12 Article XXVI, section 1; and Article XXVII, sections 4 and 16 of the
13 Constitution of the state of Washington to read as follows:

14 Article I, section 7. No person shall be disturbed in ((his))
15 their private affairs, or ((his)) have their home invaded, without
16 authority of law.

17 Article I, section 9. No person shall be compelled in any
18 criminal case to give evidence against ((himself)) themselves, or be
19 twice put in jeopardy for the same offense.

20 Article I, section 11. Absolute freedom of conscience in all
21 matters of religious sentiment, belief and worship, shall be

1 guaranteed to every individual, and no one shall be molested or
2 disturbed in person or property on account of religion; but the
3 liberty of conscience hereby secured shall not be so construed as to
4 excuse acts of licentiousness or justify practices inconsistent with
5 the peace and safety of the state. No public money or property shall
6 be appropriated for or applied to any religious worship, exercise or
7 instruction, or the support of any religious establishment: PROVIDED,
8 HOWEVER, That this article shall not be so construed as to forbid the
9 employment by the state of a chaplain for such of the state
10 custodial, correctional, and mental institutions, or by a county's or
11 public hospital district's hospital, health care facility, or
12 hospice, as in the discretion of the legislature may seem justified.
13 No religious qualification shall be required for any public office or
14 employment, nor shall any person be incompetent as a witness or
15 juror, in consequence of ~~((his))~~ their opinion on matters of
16 religion, nor be questioned in any court of justice touching ~~((his))~~
17 their religious belief to affect the weight of ~~((his))~~ their
18 testimony.

19 Article I, section 22. In criminal prosecutions the accused shall
20 have the right to appear and defend in person~~((r))~~ or by counsel, to
21 demand the nature and cause of the accusation against ~~((him))~~ them,
22 to have a copy thereof, to testify ~~((in his))~~ on their own behalf, to
23 meet the witnesses against ~~((him))~~ them face to face, to have
24 compulsory process to compel the attendance of witnesses ~~((in his))~~
25 on their own behalf, to have a speedy public trial by an impartial
26 jury of the county in which the offense is charged to have been
27 committed, and ~~((the right))~~ to appeal in all cases: *Provided*, The
28 route traversed by any railway coach, train or public conveyance, and
29 the water traversed by any boat shall be criminal districts; and the
30 jurisdiction of all public offenses committed on any such railway
31 car, coach, train, boat or other public conveyance, or at any station
32 or depot upon such route, shall be in any county through which the
33 said car, coach, train, boat or other public conveyance may pass
34 during the trip or voyage, or in which the trip or voyage may begin
35 or terminate. In no instance shall any accused person before final
36 judgment be compelled to advance money or fees to secure the rights
37 herein guaranteed.

38 Article I, section 24. The right of the individual citizen to
39 bear arms in self-defense ~~((of himself))~~, or in defense of the state,

1 shall not be impaired, but nothing in this section shall be construed
2 as authorizing individuals or corporations to organize, maintain or
3 employ an armed body of (~~men~~) people.

4 Article I, section 33. Every elective public officer of the state
5 of Washington (~~except~~ [~~except~~]) except judges of courts of record
6 is subject to recall and discharge by the legal voters of the state,
7 or of the political subdivision of the state(~~(7)~~) from which (~~he~~)
8 the officer was elected, whenever a petition demanding (~~his~~) their
9 recall, reciting that such officer has committed some act or acts of
10 malfeasance or misfeasance while in office, or who has violated
11 (~~his~~) the oath of office, stating the matters complained of, signed
12 by the percentages of the qualified electors thereof, hereinafter
13 provided, the percentage required to be computed from the total
14 number of votes cast for all candidates for (~~his said~~) the office
15 to which (~~he~~) the officer was elected at the preceding election, is
16 filed with the officer with whom a petition for nomination, or
17 certificate for nomination, to such office must be filed under the
18 laws of this state, and the same officer shall call a special
19 election as provided by the general election laws of this state, and
20 the result determined as therein provided.

21 Article II, section 1. The legislative authority of the state of
22 Washington shall be vested in the legislature, consisting of a senate
23 and house of representatives, which shall be called the legislature
24 of the state of Washington, but the people reserve to themselves the
25 power to propose bills, laws, and to enact or reject the same at the
26 polls, independent of the legislature, and also reserve power, at
27 their own option, to approve or reject at the polls any act, item,
28 section, or part of any bill, act, or law passed by the legislature.

29 (a) Initiative: The first power reserved by the people is the
30 initiative. Every such petition shall include the full text of the
31 measure so proposed. In the case of initiatives to the legislature
32 and initiatives to the people, the number of valid signatures of
33 legal voters required shall be equal to eight percent of the votes
34 cast for the office of governor at the last gubernatorial election
35 preceding the initial filing of the text of the initiative measure
36 with the secretary of state.

37 Initiative petitions shall be filed with the secretary of state
38 not less than four months before the election at which they are to be
39 voted upon, or not less than ten days before any regular session of

1 the legislature. If filed at least four months before the election at
2 which they are to be voted upon, (~~he~~) the secretary of state shall
3 submit the same to the vote of the people at the said election. If
4 such petitions are filed not less than ten days before any regular
5 session of the legislature, (~~he~~) the secretary of state shall
6 certify the results within forty days of the filing. If certification
7 is not complete by the date that the legislature convenes, (~~he~~) the
8 secretary of state shall provisionally certify the measure pending
9 final certification of the measure. Such initiative measures, whether
10 certified or provisionally certified, shall take precedence over all
11 other measures in the legislature except appropriation bills and
12 shall be either enacted or rejected without change or amendment by
13 the legislature before the end of such regular session. If any such
14 initiative measures shall be enacted by the legislature it shall be
15 subject to the referendum petition, or it may be enacted and referred
16 by the legislature to the people for approval or rejection at the
17 next regular election. If it is rejected or if no action is taken
18 upon it by the legislature before the end of such regular session,
19 the secretary of state shall submit it to the people for approval or
20 rejection at the next ensuing regular general election. The
21 legislature may reject any measure so proposed by initiative petition
22 and propose a different one dealing with the same subject, and in
23 such event both measures shall be submitted by the secretary of state
24 to the people for approval or rejection at the next ensuing regular
25 general election. When conflicting measures are submitted to the
26 people the ballots shall be so printed that a voter can express
27 separately by making one cross (X) for each, two preferences, first,
28 as between either measure and neither, and secondly, as between one
29 and the other. If the majority of those voting on the first issue is
30 for neither, both fail, but in that case the votes on the second
31 issue shall nevertheless be carefully counted and made public. If a
32 majority voting on the first issue is for either, then the measure
33 receiving a majority of the votes on the second issue shall be law.

34 (b) Referendum. The second power reserved by the people is the
35 referendum, and it may be ordered on any act, bill, law, or any part
36 thereof passed by the legislature, except such laws as may be
37 necessary for the immediate preservation of the public peace, health
38 or safety, support of the state government and its existing public
39 institutions, either by petition signed by the required percentage of
40 the legal voters, or by the legislature as other bills are enacted:

1 *Provided*, That the legislature may not order a referendum on any
2 initiative measure enacted by the legislature under the foregoing
3 subsection (a). The number of valid signatures of registered voters
4 required on a petition for referendum of an act of the legislature or
5 any part thereof, shall be equal to or exceeding four percent of the
6 votes cast for the office of governor at the last gubernatorial
7 election preceding the filing of the text of the referendum measure
8 with the secretary of state.

9 (c) No act, law, or bill subject to referendum shall take effect
10 until ninety days after the adjournment of the session at which it
11 was enacted. No act, law, or bill approved by a majority of the
12 electors voting thereon shall be amended or repealed by the
13 legislature within a period of two years following such enactment:
14 *Provided*, That any such act, law, or bill may be amended within two
15 years after such enactment at any regular or special session of the
16 legislature by a vote of two-thirds of all the members elected to
17 each house with full compliance with section 12, Article III, of the
18 Washington Constitution, and no amendatory law adopted in accordance
19 with this provision shall be subject to referendum. But such
20 enactment may be amended or repealed at any general regular or
21 special election by direct vote of the people thereon.

22 (d) The filing of a referendum petition against one or more
23 items, sections, or parts of any act, law, or bill shall not delay
24 the remainder of the measure from becoming operative. Referendum
25 petitions against measures passed by the legislature shall be filed
26 with the secretary of state not later than ninety days after the
27 final adjournment of the session of the legislature which passed the
28 measure on which the referendum is demanded. The veto power of the
29 governor shall not extend to measures initiated by or referred to the
30 people. All elections on measures referred to the people of the state
31 shall be had at the next succeeding regular general election
32 following the filing of the measure with the secretary of state,
33 except when the legislature shall order a special election. Any
34 measure initiated by the people or referred to the people as herein
35 provided shall take effect and become the law if it is approved by a
36 majority of the votes cast thereon: *Provided*, That the vote cast upon
37 such question or measure shall equal one-third of the total votes
38 cast at such election and not otherwise. Such measure shall be in
39 operation on and after the thirtieth day after the election at which
40 it is approved. The style of all bills proposed by initiative

1 petition shall be: "Be it enacted by the people of the State of
2 Washington." This section shall not be construed to deprive any
3 member of the legislature of the right to introduce any measure. All
4 such petitions shall be filed with the secretary of state, who shall
5 be guided by the general laws in submitting the same to the people
6 until additional legislation shall especially provide therefor. This
7 section is self-executing, but legislation may be enacted especially
8 to facilitate its operation.

9 (e) The legislature shall provide methods of publicity of all
10 laws or parts of laws, and amendments to the Constitution referred to
11 the people with arguments for and against the laws and amendments so
12 referred. The secretary of state shall send one copy of the
13 publication to each individual place of residence in the state and
14 shall make such additional distribution as ~~((he shall determine))~~
15 necessary to reasonably assure that each voter will have an
16 opportunity to study the measures prior to election.

17 Article II, section 7. No person shall be eligible to the
18 legislature who shall not be a citizen of the United States and a
19 qualified voter in the district for which ~~((he is))~~ they are chosen.

20 Article II, section 13. No member of the legislature, during the
21 term for which ~~((he is))~~ they are elected, shall be appointed or
22 elected to any civil office in the state ~~((, which shall have been))~~
23 created during ~~((the))~~ that term ~~((for which he was elected))~~. Any
24 member of the legislature who is appointed or elected to any civil
25 office in the state, the emoluments of which have been increased
26 during ~~((his))~~ their legislative term of office, shall be compensated
27 for the initial term of the civil office at the level designated
28 prior to the increase in emoluments.

29 Article II, section 14. No person, being a member of congress, or
30 holding any civil or military office under the United States or any
31 other power, shall be eligible to be a member of the legislature; and
32 if any person after ~~((his))~~ election as a member of the legislature,
33 shall be elected to congress or be appointed to any other office,
34 civil or military, under the government of the United States, or any
35 other power, ~~((his))~~ their acceptance thereof shall vacate ~~((his))~~
36 their seat, provided, that officers in the militia of the state who
37 receive no annual salary, local officers and postmasters, whose
38 compensation does not exceed three hundred dollars per annum, shall
39 not be ineligible.

1 Article II, section 15. Such vacancies as may occur in either
2 house of the legislature or in any partisan county elective office
3 shall be filled by appointment by the county legislative authority of
4 the county in which the vacancy occurs: *Provided*, That the person
5 appointed to fill the vacancy must be from the same legislative
6 district, county, or county commissioner or council district and the
7 same political party as the legislator or partisan county elective
8 officer whose office has been vacated, and shall be one of three
9 persons who shall be nominated by the county central committee of
10 that party, and in case a majority of the members of the county
11 legislative authority do not agree upon the appointment within sixty
12 days after the vacancy occurs, the governor shall within thirty days
13 thereafter, and from the list of nominees provided for herein,
14 appoint a person who shall be from the same legislative district,
15 county, or county commissioner or council district and of the same
16 political party as the legislator or partisan county elective officer
17 whose office has been vacated, and the person so appointed shall hold
18 office until (~~his or her~~) a successor is elected at the next
19 general election, and has qualified: *Provided*, That in case of a
20 vacancy occurring after the general election in a year that the
21 office appears on the ballot and before the start of the next term,
22 the term of the successor who is of the same party as the incumbent
23 may commence once (~~he or she has~~) they have qualified and shall
24 continue through the term for which (~~he or she was~~) they were
25 elected: *Provided*, That in case of a vacancy occurring in the office
26 of joint senator, or joint representative, the vacancy shall be
27 filled from a list of three nominees selected by the state central
28 committee, by appointment by the joint action of the boards of county
29 legislative authorities of the counties composing the joint
30 senatorial or joint representative district, the person appointed to
31 fill the vacancy must be from the same legislative district and of
32 the same political party as the legislator whose office has been
33 vacated, and in case a majority of the members of the county
34 legislative authority do not agree upon the appointment within sixty
35 days after the vacancy occurs, the governor shall within thirty days
36 thereafter, and from the list of nominees provided for herein,
37 appoint a person who shall be from the same legislative district and
38 of the same political party as the legislator whose office has been
39 vacated.

1 Article II, section 23. Each member of the legislature shall
2 receive (~~for his services~~) five dollars for each day's attendance
3 during the session, and ten cents for every mile (~~he~~) the member
4 shall travel in going to and returning from the place of meeting of
5 the legislature, on the most usual route.

6 Article II, section 25. The legislature shall never grant any
7 extra compensation to any public officer, agent, employee, servant,
8 or contractor, after the services shall have been rendered, or the
9 contract entered into, nor shall the compensation of any public
10 officer be increased or diminished during (~~his~~) the officer's term
11 of office. Nothing in this section shall be deemed to prevent
12 increases in pensions after such pensions shall have been granted.

13 Article II, section 28. The legislature is prohibited from
14 enacting any private or special laws in the following cases:

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

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

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

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

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

27 6. For granting corporate powers or privileges.

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

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

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

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

37 11. Declaring any person of age or authorizing any minor to sell,
38 lease, or encumber (~~his or her~~) their property.

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

3 13. Regulating the rates of interest on money.

4 14. Remitting fines, penalties or forfeitures.

5 15. Providing for the management of common schools.

6 16. Authorizing the adoption of children.

7 17. For limitation of civil or criminal actions.

8 18. Changing county lines, locating or changing county seats,
9 provided, this shall not be construed to apply to the creation of new
10 counties.

11 Article II, section 30. The offense of corrupt solicitation of
12 members of the legislature, or of public officers of the state or any
13 municipal division thereof, and any occupation or practice of
14 solicitation of such members or officers to influence their official
15 action, shall be defined by law, and shall be punished by fine and
16 imprisonment. Any person may be compelled to testify in any lawful
17 investigation or judicial proceeding against any person who may be
18 charged with having committed the offense of bribery or corrupt
19 solicitation, or practice of solicitation, and shall not be permitted
20 to withhold (~~his~~) testimony on the ground that it may (~~erminate~~
21 ~~himself~~) self-incriminate or subject (~~him~~) the person testifying
22 to public infamy, but such testimony shall not afterwards be used
23 against (~~him~~) the person testifying in any judicial proceeding -
24 except for perjury in giving such testimony - and any person
25 convicted of either of the offenses aforesaid, shall as part of the
26 punishment therefor, be disqualified from ever holding any position
27 of honor, trust or profit in this state. A member who has a private
28 interest in any bill or measure proposed or pending before the
29 legislature, shall disclose the fact to the house of which (~~he is~~)
30 they are a member, and shall not vote thereon.

31 Article II, section 43. (1) In January of each year ending in
32 one, a commission shall be established to provide for the
33 redistricting of state legislative and congressional districts.

34 (2) The commission shall be composed of five members to be
35 selected as follows: The legislative leader of the two largest
36 political parties in each house of the legislature shall appoint one
37 voting member to the commission by January 15th of each year ending
38 in one. By January 31st of each year ending in one, the four
39 appointed members, by an affirmative vote of at least three, shall

1 appoint the remaining member. The fifth member of the commission, who
2 shall be nonvoting, shall act as its chairperson. If any appointing
3 authority fails to make the required appointment by the date
4 established by this subsection, within five days after that date the
5 supreme court shall make the required appointment.

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

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

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

28 (6) The commission shall complete redistricting as soon as
29 possible following the federal decennial census, but no later than
30 November 15th of each year ending in one. At least three of the
31 voting members shall approve such a redistricting plan. If three of
32 the voting members of the commission fail to approve a plan within
33 the time limitations provided in this subsection, the supreme court
34 shall adopt a plan by April 30th of the year ending in two in
35 conformance with the standards set forth in subsection (5) of this
36 section.

37 (7) The legislature may amend the redistricting plan but must do
38 so by a two-thirds vote of the legislators elected or appointed to
39 each house of the legislature. Any amendment must have passed both
40 houses by the end of the thirtieth day of the first session convened

1 after the commission has submitted its plan to the legislature. After
2 that day, the plan, with any legislative amendments, constitutes the
3 state districting law.

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

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

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

22 (11) Legislative and congressional districts may not be changed
23 or established except pursuant to this section. A districting plan
24 and any legislative amendments to the plan are not subject to Article
25 III, section 12 of this Constitution.

26 Article III, section 2. The supreme executive power of this state
27 shall be vested in a governor, who shall hold ((his)) office for a
28 term of four years, and until ((his)) a successor is elected and
29 qualified.

30 Article III, section 6. ((He)) The governor shall communicate at
31 every session by message to the legislature the condition of the
32 affairs of the state, and recommend such measures as ((he shall
33 deem)) the governor deems expedient for their action.

34 Article III, section 7. ((He)) The governor may, on extraordinary
35 occasions, convene the legislature by proclamation, in which shall be
36 stated the purposes for which the legislature is convened.

1 Article III, section 8. (~~He~~) The governor shall be commander-
2 in-chief of the military in the state except when (~~they~~) it shall
3 be called into the service of the United States.

4 Article III, section 12. Every act which shall have passed the
5 legislature shall be, before it becomes a law, presented to the
6 governor. If (~~he~~) the governor approves, (~~he~~) the governor shall
7 sign it; but if not, (~~he~~) the governor shall return it, with
8 (~~his~~) objections, to that house in which it shall have originated,
9 which house shall enter the objections at large upon the journal and
10 proceed to reconsider. If, after such reconsideration, two-thirds of
11 the members present shall agree to pass the bill it shall be sent,
12 together with the objections, to the other house, by which it shall
13 likewise be reconsidered, and if approved by two-thirds of the
14 members present, it shall become a law; but in all such cases the
15 vote of both houses shall be determined by the yeas and nays, and the
16 names of the members voting for or against the bill shall be entered
17 upon the journal of each house respectively. If any bill shall not be
18 returned by the governor within five days, Sundays excepted, after it
19 shall be presented to (~~him~~) the governor, it shall become a law
20 without (~~his~~) their signature, unless the general adjournment shall
21 prevent its return, in which case it shall become a law unless the
22 governor, within twenty days next after the adjournment, Sundays
23 excepted, shall file such bill with (~~his~~) objections thereto, in
24 the office of secretary of state, who shall lay the same before the
25 legislature at its next session in like manner as if it had been
26 returned by the governor: *Provided*, That within forty-five days next
27 after the adjournment, Sundays excepted, the legislature may, upon
28 petition by a two-thirds majority or more of the membership of each
29 house, reconvene in extraordinary session, not to exceed five days
30 duration, solely to reconsider any bills vetoed. If any bill
31 presented to the governor contain several sections or appropriation
32 items, (~~he~~) the governor may object to one or more sections or
33 appropriation items while approving other portions of the bill:
34 *Provided*, That (~~he~~) the governor may not object to less than an
35 entire section, except that if the section contain one or more
36 appropriation items (~~he~~) the governor may object to any such
37 appropriation item or items. In case of objection (~~he~~) the governor
38 shall append to the bill, at the time of signing it, a statement of
39 the section or sections, appropriation item or items objected to

1 (~~which he objects~~) and the reasons therefor; and the section or
2 sections, appropriation item or items so objected to shall not take
3 effect unless passed over the governor's objection, as hereinbefore
4 provided. The provisions of Article II, section 12 insofar as they
5 are inconsistent herewith are hereby repealed.

6 Article III, section 16. The lieutenant governor shall be
7 presiding officer of the state senate, and shall discharge such other
8 duties as may be prescribed by law. (~~He~~) The lieutenant governor
9 shall receive an annual salary of one thousand dollars, which may be
10 increased by the legislature, but shall never exceed three thousand
11 dollars per annum.

12 Article III, section 17. The secretary of state shall keep a
13 record of the official acts of the legislature, and executive
14 department of the state, and shall, when required, lay the same, and
15 all matters relative thereto, before either branch of the
16 legislature, and shall perform such other duties as shall be assigned
17 (~~him~~) the secretary by law. (~~He~~) The secretary shall receive an
18 annual salary of twenty-five hundred dollars, which may be increased
19 by the legislature, but shall never exceed three thousand dollars per
20 annum.

21 Article III, section 19. The treasurer shall perform such duties
22 as shall be prescribed by law. (~~He~~) The treasurer shall receive an
23 annual salary of two thousand dollars, which may be increased by the
24 legislature, but shall never exceed four thousand dollars per annum.

25 Article III, section 20. The auditor shall be auditor of public
26 accounts, and shall have such powers and perform such duties in
27 connection therewith as may be prescribed by law. (~~He~~) The auditor
28 shall receive an annual salary of two thousand dollars, which may be
29 increased by the legislature, but shall never exceed three thousand
30 dollars per annum.

31 Article III, section 21. The attorney general shall be the legal
32 adviser of the state officers, and shall perform such other duties as
33 may be prescribed by law. (~~He~~) The attorney general shall receive
34 an annual salary of two thousand dollars, which may be increased by
35 the legislature, but shall never exceed thirty-five hundred dollars
36 per annum.

37 Article III, section 22. The superintendent of public instruction
38 shall have supervision over all matters pertaining to public schools,

1 and shall perform such specific duties as may be prescribed by law.
2 ((He)) The superintendent shall receive an annual salary of twenty-
3 five hundred dollars, which may be increased by law, but shall never
4 exceed four thousand dollars per annum.

5 Article IV, section 3. The judges of the supreme court shall be
6 elected by the qualified electors of the state at large at the
7 general state election at the times and places at which state
8 officers are elected, unless some other time be provided by the
9 legislature. The first election of judges of the supreme court shall
10 be at the election which shall be held upon the adoption of this
11 Constitution and the judges elected thereat shall be classified by
12 lot, so that two shall hold their office for the term of three years,
13 two for the term of five years, and one for the term of seven years.
14 The lot shall be drawn by the judges who shall for that purpose
15 assemble at the seat of government, and they shall cause the result
16 thereof to be certified to the secretary of state, and filed in
17 ((his)) that office. The supreme court shall select a chief justice
18 from its own membership to serve for a four-year term at the pleasure
19 of a majority of the court as prescribed by supreme court rule. The
20 chief justice shall preside at all sessions of the supreme court. In
21 case of the absence of the chief justice, the majority of the
22 remaining court shall select one of their members to serve as acting
23 chief justice. After the first election the terms of judges elected
24 shall be six years from and after the second Monday in January next
25 succeeding their election. If a vacancy occurs in the office of a
26 judge of the supreme court the governor shall only appoint a person
27 to ensure the number of judges as specified by the legislature, to
28 hold the office until the election and qualification of a judge to
29 fill the vacancy, which election shall take place at the next
30 succeeding general election, and the judge so elected shall hold the
31 office for the remainder of the unexpired term. The term of office of
32 the judges of the supreme court, first elected, shall commence as
33 soon as the state shall have been admitted into the Union, and
34 continue for the term herein provided, and until their successors are
35 elected and qualified. The sessions of the supreme court shall be
36 held at the seat of government until otherwise provided by law.

37 Article IV, section 3A. A judge of the supreme court or the
38 superior court shall retire from judicial office at the end of the
39 calendar year in which ((he)) the judge attains the age of seventy-

1 five years. The legislature may, from time to time, fix a lesser age
2 for mandatory retirement, not earlier than the end of the calendar
3 year in which any such judge attains the age of seventy years, as the
4 legislature deems proper. This provision shall not affect the term to
5 which any such judge shall have been elected or appointed prior to,
6 or at the time of, approval and ratification of this provision.
7 Notwithstanding the limitations of this section, the legislature may
8 by general law authorize or require the retirement of judges for
9 physical or mental disability, or any cause rendering judges
10 incapable of performing their judicial duties.

11 Article IV, section 4. The supreme court shall have original
12 jurisdiction in habeas corpus, and quo warranto and mandamus as to
13 all state officers, and appellate jurisdiction in all actions and
14 proceedings, excepting that its appellate jurisdiction shall not
15 extend to civil actions at law for the recovery of money or personal
16 property when the original amount in controversy, or the value of the
17 property does not exceed the sum of two hundred dollars (\$200) unless
18 the action involves the legality of a tax, impost, assessment, toll,
19 municipal fine, or the validity of a statute. The supreme court shall
20 also have power to issue writs of mandamus, review, prohibition,
21 habeas corpus, certiorari and all other writs necessary and proper to
22 the complete exercise of its appellate and revisory jurisdiction.
23 Each of the judges shall have power to issue writs of habeas corpus
24 to any part of the state upon petition by or on behalf of any person
25 held in actual custody, and may make such writs returnable before
26 (~~himself~~) themselves, or before the supreme court, or before any
27 superior court of the state or any judge thereof.

28 Article IV, section 5. There shall be in each of the organized
29 counties of this state a superior court for which at least one judge
30 shall be elected by the qualified electors of the county at the
31 general state election: **Provided**, That until otherwise directed by
32 the legislature one judge only shall be elected for the counties of
33 Spokane and Stevens; one judge for the county of Whitman; one judge
34 for the counties of Lincoln, Okanogan, Douglas and Adams; one judge
35 for the counties of Walla Walla and Franklin; one judge for the
36 counties of Columbia, Garfield and Asotin; one judge for the counties
37 of Kittitas, Yakima and Klickitat; one judge for the counties of
38 Clarke, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the
39 counties of Thurston, Chehalis, Mason and Lewis; one judge for the

1 county of Pierce; one judge for the county of King; one judge for the
2 counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one
3 judge for the counties of Whatcom, Skagit and Snohomish. In any
4 county where there shall be more than one superior judge, there may
5 be as many sessions of the superior court at the same time as there
6 are judges thereof, and whenever the governor shall direct a superior
7 judge to hold court in any county other than that for which ((he))
8 the judge has been elected, there may be as many sessions of the
9 superior court in said county at the same time as there are judges
10 therein or assigned to duty therein by the governor, and the business
11 of the court shall be so distributed and assigned by law or in the
12 absence of legislation therefor, by such rules and orders of court as
13 shall best promote and secure the convenient and expeditious
14 transaction thereof. The judgments, decrees, orders and proceedings
15 of any session of the superior court held by any one or more of the
16 judges of such court shall be equally effectual as if all the judges
17 of said court presided at such session. The first superior judges
18 elected under this Constitution shall hold their offices for the
19 period of three years, and until their successors shall be elected
20 and qualified, and thereafter the term of office of all superior
21 judges in this state shall be for four years from the second Monday
22 in January next succeeding their election and until their successors
23 are elected and qualified. The first election of judges of the
24 superior court shall be at the election held for the adoption of this
25 Constitution. If a vacancy occurs in the office of judge of the
26 superior court, the governor shall appoint a person to hold the
27 office until the election and qualification of a judge to fill the
28 vacancy, which election shall be at the next succeeding general
29 election, and the judge so elected shall hold office for the
30 remainder of the unexpired term.

31 Article IV, section 7. The judge of any superior court may hold a
32 superior court in any county at the request of the judge of the
33 superior court thereof, and upon the request of the governor it shall
34 be ((his or her)) the judge's duty to do so. A case in the superior
35 court may be tried by a judge pro tempore either with the agreement
36 of the parties if the judge pro tempore is a member of the bar, is
37 agreed upon in writing by the parties litigant or their attorneys of
38 record, and is approved by the court and sworn to try the case; or
39 without the agreement of the parties if the judge pro tempore is a

1 sitting elected judge and is acting as a judge pro tempore pursuant
2 to supreme court rule. The supreme court rule must require
3 assignments of judges pro tempore based on the judges' experience and
4 must provide for the right, exercisable once during a case, to a
5 change of judge pro tempore. Such right shall be in addition to any
6 other right provided by law. However, if a previously elected judge
7 of the superior court retires leaving a pending case in which the
8 judge has made discretionary rulings, the judge is entitled to hear
9 the pending case as a judge pro tempore without any written
10 agreement.

11 Article IV, section 8. Any judicial officer who (~~shall~~) is
12 absent (~~himself~~) from the state for more than sixty consecutive
13 days shall be deemed to have forfeited (~~his~~) their office:
14 *Provided*, That in cases of extreme necessity the governor may extend
15 the leave of absence such time as the necessity therefor shall exist.

16 Article IV, section 9. Any judge of any court of record, the
17 attorney general, or any prosecuting attorney may be removed from
18 office by joint resolution of the legislature, in which three-fourths
19 of the members elected to each house shall concur, for incompetency,
20 corruption, malfeasance, or delinquency in office, or other
21 sufficient cause stated in such resolution. But no removal shall be
22 made unless the officer complained of shall have been served with a
23 copy of the charges against (~~him~~) them as the ground of removal,
24 and shall have an opportunity of being heard in (~~his~~) their
25 defense. Such resolution shall be entered at length on the journal of
26 both houses and on the question of removal the ayes and nays shall
27 also be entered on the journal.

28 Article IV, section 13. No judicial officer, except court
29 commissioners and unsalaried justices of the peace, shall receive to
30 (~~his~~) their own use any fees or perquisites of office. The judges
31 of the supreme court and judges of the superior courts shall
32 severally at stated times, during their continuance in office,
33 receive for their services the salaries prescribed by law therefor,
34 which shall not be increased after their election, nor during the
35 term for which they shall have been elected. The salaries of the
36 judges of the supreme court shall be paid by the state. One-half of
37 the salary of each of the superior court judges shall be paid by the
38 state, and the other one-half by the county or counties for which
39 (~~he~~) the judge is elected. In cases where a judge is provided for

1 more than one county, that portion of (~~his~~) their salary which is
2 to be paid by the counties shall be apportioned between or among them
3 according to the assessed value of their taxable property, to be
4 determined by the assessment next preceding the time for which such
5 salary is to be paid.

6 Article IV, section 17. No person shall be eligible to the office
7 of judge of the supreme court, or judge of a superior court, unless
8 (~~he shall have been~~) admitted to practice in the courts of record
9 of this state, or of the Territory of Washington.

10 Article IV, section 18. The judges of the supreme court shall
11 appoint a reporter for the decisions of that court, who shall be
12 removable at their pleasure. (~~He~~) The reporter shall receive such
13 annual salary as shall be prescribed by law.

14 Article IV, section 19. No judge of a court of record shall
15 practice law in any court of this state during (~~his~~) their
16 continuance in office.

17 Article IV, section 20. Every cause submitted to a judge of a
18 superior court for (~~his~~) decision shall be decided (~~by him~~)
19 within ninety days from the submission thereof; *Provided*, That if
20 within said period of ninety days a rehearing shall have been
21 ordered, then the period (~~within which he is~~) to decide shall
22 commence at the time the cause is submitted upon such a hearing.

23 Article IV, section 22. The judges of the supreme court shall
24 appoint a clerk of that court who shall be removable at their
25 pleasure, but the legislature may provide for the election of the
26 clerk of the supreme court, and prescribe the term of (~~his~~) office.
27 The clerk of the supreme court shall receive such compensation by
28 salary only as shall be provided by law.

29 Article IV, section 26. The county clerk shall be, by virtue of
30 (~~his~~) their office, clerk of the superior court.

31 Article IV, section 28. Every judge of the supreme court (~~he~~) and
32 every judge of a superior court shall, before entering upon the
33 duties of (~~his~~) their office, take and subscribe an oath that
34 (~~he~~) the judge will support the Constitution of the United States
35 and the Constitution of the State of Washington, and will faithfully
36 and impartially discharge the duties of judge to the best of (~~his~~)

1 their ability, which oath shall be filed in the office of the
2 secretary of state.

3 Article IV, section 29. Notwithstanding any provision of this
4 Constitution to the contrary, if, after the last day as provided by
5 law for the withdrawal of declarations of candidacy has expired, only
6 one candidate has filed for any single position of superior court
7 judge in any county containing a population of one hundred thousand
8 or more, no primary or election shall be held as to such position,
9 and a certificate of election shall be issued to such candidate. If,
10 after any contested primary for superior court judge in any county,
11 only one candidate is entitled to have ((his)) their name printed on
12 the general election ballot for any single position, no election
13 shall be held as to such position, and a certificate of election
14 shall be issued to such candidate: *Provided*, That in the event that
15 there is filed with the county auditor within ten days after the date
16 of the primary, a petition indicating that a write in campaign will
17 be conducted for such single position and signed by one hundred
18 registered voters qualified to vote with respect of the office, then
19 such single position shall be subject to the general election.
20 Provisions for the contingency of the death or disqualification of a
21 sole candidate between the last date for withdrawal and the time when
22 the election would be held but for the provisions of this section,
23 and such other provisions as may be deemed necessary to implement the
24 provisions of this section, may be enacted by the legislature.

25 Article IV, section 31. (1) There shall be a commission on
26 judicial conduct, existing as an independent agency of the judicial
27 branch, and consisting of a judge selected by and from the court of
28 appeals judges, a judge selected by and from the superior court
29 judges, a judge selected by and from the limited jurisdiction court
30 judges, two persons admitted to the practice of law in this state
31 selected by the state bar association, and six persons who are not
32 attorneys appointed by the governor.

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

1 investigation and initial proceedings shall be confidential. Upon
2 beginning an initial proceeding, the commission shall notify the
3 judge or justice of the existence of and basis for the initial
4 proceeding.

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

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

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

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

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

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

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

22 (10) The commission shall, to the extent that compliance does not
23 conflict with this section, comply with laws of general applicability
24 to state agencies with respect to rule-making procedures, and with
25 respect to public notice of and attendance at commission proceedings
26 other than initial proceedings. The commission shall establish rules
27 of procedure for commission proceedings including due process and
28 confidentiality of proceedings.

29 Article VI, section 4. For the purpose of voting and eligibility
30 to office no person shall be deemed to have gained a residence by
31 reason of ((his)) their presence or lost it by reason of ((his))
32 their absence, while in the civil or military service of the state or
33 of the United States, nor while a student at any institution of
34 learning, nor while kept at public expense at any poor-house or other
35 asylum, nor while confined in public prison, nor while engaged in the
36 navigation of the waters of this state or of the United States, or of
37 the high seas.

38 Article VI, section 6. All elections shall be by ballot. The
39 legislature shall provide for such method of voting as will secure to

1 every elector absolute secrecy in preparing and depositing ((his))
2 their ballot.

3 Article X, section 1. All able-bodied ((male)) citizens of this
4 state between the ages of eighteen (18) and forty-five (45) years
5 except such as are exempt by laws of the United States or by the laws
6 of this state, shall be liable to military duty.

7 Article XI, section 8. The salary of any county, city, town, or
8 municipal officers shall not be increased, except as provided in
9 section 1 of Article XXX, or diminished after ((his)) their
10 election((~~r~~)) or during ((his)) their term of office; nor shall the
11 term of any such officer be extended beyond the period for which ((he
12 is)) they are elected or appointed.

13 Article XII, section 4. Each stockholder in all incorporated
14 companies, except corporations organized for banking or insurance
15 purposes, shall be liable for the debts of the corporation to the
16 amount of ((his)) the stockholder's unpaid stock and no more; and one
17 or more stockholders may be joined as parties defendant in suits to
18 recover upon this liability.

19 Article XII, section 12. Any president, director, manager,
20 cashier, or other officer of any banking institution, who shall
21 receive or assent to the reception of deposits, after ((he shall
22 have)) having knowledge of the fact that such banking institution is
23 insolvent or in failing circumstances, shall be individually
24 responsible for such deposits so received.

25 Article XII, section 19. Any association or corporation, or the
26 lessees or managers thereof, organized for the purpose, or any
27 individual, shall have the right to construct and maintain lines of
28 telegraph and telephone within this state, and said companies shall
29 receive and transmit each other's messages without delay or
30 discrimination and all of such companies are hereby declared to be
31 common carriers and subject to legislative control. Railroad
32 corporations organized or doing business in this state shall allow
33 telegraph and telephone corporations and companies to construct and
34 maintain telegraph lines on and along the rights of way of such
35 railroads and railroad companies, and no railroad corporation
36 organized or doing business in this state shall allow any telegraph
37 corporation or company any facilities, privileges or rates for
38 transportation of ((men)) people or material or for repairing their

1 lines not allowed to all telegraph companies. The right of eminent
2 domain is hereby extended to all telegraph and telephone companies.
3 The legislature shall, by general law of uniform operation, provide
4 reasonable regulations to give effect to this section.

5 Article XII, section 21. Railroad companies now or hereafter
6 organized or doing business in this state, shall allow all express
7 companies organized or doing business in this state, transportation
8 over all lines of railroad owned or operated by such railroad
9 companies upon equal terms with any other express company, and no
10 railroad corporation organized or doing business in this state shall
11 allow any express corporation or company any facilities, privileges
12 or rates for transportation of (~~men~~) people or materials or
13 property carried by them or for doing the business of such express
14 companies not allowed to all express companies.

15 Article XVII, section 1. The state of Washington asserts its
16 ownership to the beds and shores of all navigable waters in the state
17 up to and including the line of ordinary high tide, in waters where
18 the tide ebbs and flows, and up to and including the line of ordinary
19 high water within the banks of all navigable rivers and lakes:
20 *Provided*, that this section shall not be construed so as to debar any
21 person from asserting (~~his~~) a claim to vested rights in the courts
22 of the state.

23 Article XXVI, section 1. The following ordinance shall be
24 irrevocable without the consent of the United States and the people
25 of this state:

26 **First.** That perfect toleration of religious sentiment shall be
27 secured and that no inhabitant of this state shall ever be molested
28 in person or property on account of (~~his or her~~) their mode of
29 religious worship.

30 **Second.** That the people inhabiting this state do agree and
31 declare that they forever disclaim all right and title to the
32 unappropriated public lands lying within the boundaries of this state,
33 and to all lands lying within said limits owned or held by any Indian
34 or Indian tribes; and that until the title thereto shall have been
35 extinguished by the United States, the same shall be and remain
36 subject to the disposition of the United States, and said Indian
37 lands shall remain under the absolute jurisdiction and control of the
38 congress of the United States and that the lands belonging to
39 citizens of the United States residing without the limits of this

1 state shall never be taxed at a higher rate than the lands belonging
2 to residents thereof; and that no taxes shall be imposed by the state
3 on lands or property therein, belonging to or which may be hereafter
4 purchased by the United States or reserved for use: *Provided*, That
5 nothing in this ordinance shall preclude the state from taxing as
6 other lands are taxed any lands owned or held by any Indian who has
7 severed (~~his~~) their tribal relations, and has obtained from the
8 United States or from any person a title thereto by patent or other
9 grant, save and except such lands as have been or may be granted to
10 any Indian or Indians under any act of congress containing a
11 provision exempting the lands thus granted from taxation, which
12 exemption shall continue so long and to such an extent as such act of
13 congress may prescribe.

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

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

19 Article XXVII, section 4. All recognizances heretofore taken, or
20 which may be taken before the change from a territorial to a state
21 government, shall remain valid, and shall pass to (~~the~~) and may be
22 prosecuted in the name of the state; and all bonds executed to the
23 Territory of Washington or to any county or municipal corporation, or
24 to any officer or court in (~~his or its~~) an official capacity, shall
25 pass to the state authorities and their successors in office, for the
26 uses therein expressed, and may be sued for and recovered
27 accordingly, and all the estate, real, personal and mixed, and all
28 judgments decrees, bonds, specialties, choses in action, and claims
29 or debts, of whatever description, belonging to the Territory of
30 Washington, shall inure to and vest in the State of Washington, and
31 may be sued for and recovered in the same manner, and to the same
32 extent, by the State of Washington, as the same could have been by
33 the Territory of Washington.

34 Article XXVII, section 16. The provisions of this Constitution
35 shall be in force from the day on which the president of the United
36 States shall issue (~~his~~) a proclamation declaring the State of
37 Washington admitted into the Union, and the terms of all officers
38 elected at the first election under the provisions of this

1 Constitution shall commence on the Monday next succeeding the issue
2 of said proclamation, unless otherwise provided herein.

3 BE IT FURTHER RESOLVED, That this amendment is a single amendment
4 within the meaning of Article XXIII, section 1 of the state
5 Constitution.

6 The legislature finds that the changes contained in this
7 amendment constitute a single integrated plan for removing gendered
8 terms from the Constitution. If this amendment is held to be separate
9 amendments, this joint resolution is void in its entirety and is of
10 no further force and effect.

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

--- END ---