

An Amendment to the State Constitution

To Be Submitted to the Qualified Electors of the State for Their Approval
or Rejection at the

GENERAL ELECTION

TO BE HELD ON

Tuesday, November 2, 1948

CONCISE STATEMENT

PROPOSED AMENDMENT to Constitution to permit counties to adopt
"Home Rule" charters.

SENATE JOINT RESOLUTION NO. 5

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

That, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1948, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Section 4 of Article XI of the Constitution of the State of Washington to read as follows:

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

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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.

And Be It Further Resolved, That the Secretary of State shall cause the foregoing constitutional amendment to be published for at least three (3) months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed by the Senate January 28, 1947.

VICTOR A. MEYERS,
President of the Senate.

Passed by the House February 21, 1947.

HERBERT M. HAMBLIN,
Speaker of the House.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, February 24, 1947.

EARL COE,
Secretary of State.

ARGUMENT FOR

THE COUNTY HOME RULE AMENDMENT

(Senate Joint Resolution No. 5)

This amendment to the state constitution would give counties the right of Home Rule. It must pass November 2 if we are to improve county government in Washington.

The amendment would permit the people of any county in the state to elect 15 to 25 citizens to write a **charter** or constitution for their county.

In this charter they could put any improvement in government they wished, as long as they did not violate state laws or the state constitution.

They could throw out the ancient spoils system and provide **civil service** for county employees.

They could insure **better roads, better law enforcement, better health service** by requiring that officials be qualified for their jobs.

They could **reduce waste** of tax dollars by setting up tighter budget controls and sensible business methods.

They could include many other modern improvements in county government.

All Washington cities of 20,000 or more population have the right to draw their own Home Rule charters. There is no reason why counties should not have the same right.

The County Home Rule amendment does not REQUIRE a county to change its government unless the people want to. Many counties probably would continue as at present without writing a charter or altering their present county government in any way . . . at least for several years.

But many counties in Washington, especially the larger ones, badly need modernizing. They no longer can operate efficiently under a form of government designed sixty years ago for pioneer rural counties.

Their only chance for progress is the County Home Rule amendment.

Vote for the County Home Rule amendment! It is a non-partisan measure supported by all groups working for better government. There is no organized opposition.

The need for County Home Rule is urgent. Give it your support November 2!

STATE COMMITTEE FOR COUNTY HOME RULE

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State June 30, 1948.

EARL COE,
Secretary of State.