

**REFERENDUM 16**

**BILL NUMBER**

Chapter 152, Laws Extraordinary  
Session, 1965

*Official Ballot Title:\**

**CONGRESSIONAL REAPPORTIONMENT  
AND REDISTRICTING**

**AN ACT** Relating to congressional districts, revising and redefining the boundaries of the first, second, third, fourth, sixth and seventh United States congressional districts of the State of Washington, allocating to each such district one representative in the congress of the United States; and repealing existing congressional districting and apportionment laws in conflict therewith.

Vote Cast by members of the 1965 Legislature on final passage:  
SENATE: (49 members) Yeas, 30; Nays, 15; Absent or not voting, 4.  
HOUSE: (99 members) Yeas, 55; Nays, 42; Absent or not voting, 2.

\*Ballot Title as issued by the Attorney General.

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## Statement **FOR**

The State of Washington became one of the first states in the nation to enact Legislative Redistricting and the 1965 Session of the Legislature, by a solid majority in both houses, also passed a Congressional Districting Bill following the "one man-one vote" rule of the U. S. Supreme Court.

The entire Washington State Congressional Delegation (Republican and Democratic members alike) endorsed this plan.

(Seattle Times, Friday, April 30, 1965.)

"The congressmen it affect gave the bill (SJR #16) solid, bi-partisan backing . . . Even Congressman Thomas M. Pelly, a Seattle Republican, urged the Governor to sign the bill . . . because it was in line with recommendations made by the entire congressional delegation earlier this year.

"Congressman Brock Adams said the re-districting bill did as 'fair a job as can be done under the present circumstances'.

"Congressman Lloyd Meeds like most of the others acknowledged that the bill 'is not perfect'. But he thought it 'repairs a lot of the problem . . . '

"Congressman Floyd Hicks said he thought the measure was a 'fair bill' which would keep the districts 'compact and contiguous

as well as meeting the court's one-man one-vote requirement.'"

Make your vote equal to any other vote!

Support Referendum Bill No. 16.

*Committee appointed to compose statment **FOR** Referendum Bill No. 16:*

MARTIN J. DURKAN, State Senator; GARY GRANT, State Representative; EDWARD J. LOGAN, Supt. of Elections, King County.

*Advisory Committee:* DR. JOHN BOND, Walla Walla; PAUL HOLMES, former State Representative, Grant and Kittitas counties; JACK DEAN, attorney, Spokane.

*Explanatory comment issued by the  
Attorney General as required by law*

### **The Law as it now exists:**

This state is presently divided into seven districts for the purpose of election of seven members of the United States House of Representatives, one from each district. On the basis of 1960 federal census data, the respective populations of these seven congressional districts range from approximately 342,500 persons in the third district to approximately 510,500 persons in the seventh district.

### **Effect of Referendum Bill No. 16 if approved into Law:**

Under this referendum bill the total number of congressional districts (7) and the total number of representatives (7) would be unchanged. The bill would change the boundaries of six districts (the

first, second, third, fourth, sixth and seventh) and would leave the boundaries of one district (the fifth) unchanged. On the basis, again, of 1960 federal census data these changes, if approved by the voters, will result in somewhat more equal populations among districts than exist under present law. If approved, this referendum bill will become operative with the 1968 congressional elections.

*Note: Complete text of Referendum Bill No. 16 starts on  
Page 38.*

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## **Statement AGAINST**

### **Vote against gerrymandering**

#### **Vote against Referendum Bill 16**

In vetoing an almost identical Congressional Redistricting proposal in 1965, Governor Evans said:

"I stated that such a redistricting bill should: 'Obey the mandates of the state and federal constitutions, provide equitable representation for all areas of the state, and insure that the party which wins a majority of the votes will win a majority of the seats . . . the apportionment plan contained in this Bill totally fails to meet this fundamental goal of the two party system. I am also disappointed that the boundary lines of some of the districts have been established without any logic whatsoever, and that counties with small population have been divided unnecessarily. Moreover, the populations contained in the largest and smallest congressional districts are more disproportionate than necessary. I believe many of these problems could have been avoided had the bill resulted from bi-partisan discussions and compromise."

Referendum Bill 16 was consciously designed by its sponsors **not** to meet the standards of fairness set forth by the Governor. In

order to circumvent another veto, a bill almost identical to the vetoed measure was passed by the Legislature as Referendum Bill 16 and placed on the 1966 ballot. It was supported only by members of the majority party in the Legislature, and not by all of them.

The proposal is a pure gerrymander, designed solely to preserve in office present congressmen, in spite of the votes of the majority of the voters of the state as a whole. Naturally most of the incumbent congressmen favor it.

The passage of this Bill would strike at the foundations of our representative form of government and the "one man-one vote" which means government of the people and by the people.

Your vote is important—vote against Referendum Bill No. 16.

*Committee appointed to compose statement AGAINST Referendum Bill No. 16:*

JOHN M. RYDER, State Senator; NEWMAN H. CLARK, State Representative; DR. ALFRED O. ADAMS, State Representative.

\**Fidalgo Bay fish farm, marine park and small boat basin* ..... \$ 100,000  
 For the Department of Natural Resources  
*Clearwater Honor Camp* ..... \$ 500,000  
 For the University of Washington  
 Construct and equip health sciences expansion ..... \$9,600,000  
 For the Finance Committee ..... \$ 40,744

**NEW SECTION.** Sec. 7. The words "capital improvement" or "capital project" used herein shall mean acquisition of sites, easements, rights of way or improvements thereon or appurtenances thereto, construction and initial equipment, reconstruction, demolition or major alteration of new or presently owned capital assets.

**NEW SECTION.** Sec. 8. This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1966, in accordance with the provisions of section 3, Article VIII of the state Constitution; and in accordance with the provisions of section 1, Article II of the state Constitution as amended, and the laws adopted to facilitate the operation thereof.

Passed the Senate May 6, 1965.

Passed the House May 5, 1965.

Approved May 15, 1965 with the exception of certain items in Section 1 and Section 6, and an item in the title of the bill, which are vetoed.

DANIEL J. EVANS  
 Governor of Washington

\*Words in italics vetoed by the Governor.

A. LUDLOW KRAMER, Secretary of State

**GOVERNOR'S STATEMENT EXPLAINING  
 PARTIAL VETO:**

I am filing herewith substitute Senate Bill No. 41 entitled:

"AN ACT Relating to state government and the support thereof; authorizing the issuance and sale of state general obligation bonds to provide for needful buildings for institutions of higher education, the department of institutions, the department of fisheries, the department of natural resources and other state agencies; providing ways and means to pay said bonds; making appropriations; and providing for submission of this act to a vote of the people."

The bill as approved is to be submitted to the people for their adoption and ratification or rejection at the next general election in accordance with Section 8 of the bill. Certain items of the bill which I have not approved are to be submitted to the Senate at the next session of the Legislature.

This bill provides needed Capital improvements for the institutions of higher education, the department of institutions, certain reform facilities operated by the department of institutions in conjunction with the department of natural resources, the museum operated for the benefit of the state and the education of its people by the Washington State Historical Society, and in addition certain facilities for the department of fisheries and the department of commerce and economic development.

Substitute Senate Bill No. 41 must be submitted to a vote of the people because of the provision of Article VIII, Section 3 of the State Constitution. That section also provides that the indebtedness for which voter approval is sought "shall be authorized by law for some single work or object".

After consultation with my own legal counsel,

with the Office of the Attorney General and with attorneys who specialize in matters of law pertaining to bonds issued by governmental bodies, I have concluded that in its present form there is substantial doubt that Substitute Senate Bill No. 41 complies with the provisions of the State Constitution. There is no decision of the State Supreme Court which approves a bond issue as broad as that contained in Substitute Senate Bill No. 41. State ex rel Troy v Martin, 38 Wn. (2d) 501, held that a \$20 million dollar bond issue to provide needful charitable, educational and penal institutions constituted a single "object" within the meaning of Article VIII, Section 3, of the Constitution.

Without the necessity of a test case, experienced bond attorneys approved a bond issue authorized by the 1957 Legislature for "buildings at state operated institutions and state institutions of higher education". Substantially all of the \$40,575,000 in bonds authorized by this bill are intended to be used for our charitable, educational and penal institutions and other institutions operated by the Department of Institutions, which I believe clearly constitutes a single object within the meaning of the Constitution. However, lesser amounts have been included in this bill to provide buildings for the Department of Commerce and Economic Development and facilities for the Department of Fisheries. Moreover, some of the facilities of the Department of Fisheries are not in the form of "buildings" as specified in the title of Substitute Senate Bill No. 41.

In order to avoid litigation over the constitutionality of this bill, which would delay the issuance of the bonds, and to avoid the risk that such litigation might result in the loss of the entire bond issue, I have vetoed the items in Section 6 which would have provided funds for the construction of facilities for the Department of Commerce and Economic Development and the Department of Fisheries, and I have vetoed those portions of the title and of Section 1 of the bill which refer to the Department of Fisheries. The total amount of the items vetoed is \$37,226. Since these bonds will not be issued until the 1967 Legislature is in session, these projects can be considered at that time and funds appropriated as the legislature may deem necessary.

With the exception of the items which I have vetoed as set forth above, the remainder of the bill is approved.

Respectfully submitted,  
 DANIEL J. EVANS  
 Governor

COMPLETE TEXT OF

**REFERENDUM** **16**  
**BILL NUMBER**

(CHAPTER 152, LAWS 1965, EX. SESSION)

Ballot Title as issued by the Attorney General:

**CONGRESSIONAL REAPPORTIONMENT  
 AND REDISTRICTING**

**AN ACT Relating to congressional districts, revising and redefining the boundaries of the first, second, third, fourth, sixth and seventh**

**United States congressional districts of the State of Washington, allocating to each such district one representative in the congress of the United States; and repealing existing congressional districting and apportionment laws in conflict therewith.**

LEGISLATIVE TITLE  
(House Bill No. 714)

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**CONGRESSIONAL REDISTRICTING**

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AN ACT Relating to the redistricting and reapportionment of the state into congressional districts; and adding new sections to chapter 29.68 RCW and to chapter 9, Laws of 1965; and repealing section 29.68.005, chapter 9, Laws of 1965 and RCW 29.68.005; and repealing section 29.68.007, chapter 9, Laws of 1965 and RCW 29.68.007; and repealing section 29.68.011, chapter 9, Laws of 1965 and RCW 29.68.011; and repealing section 29.68.021, chapter 9, Laws of 1965 and RCW 29.68.021; and repealing section 29.68.030, chapter 9, Laws of 1965 and RCW 29.68.030; and repealing section 29.68.040, chapter 9, Laws of 1965 and RCW 29.68.040; and repealing section 29.68.062, chapter 9, Laws of 1965 and RCW 29.68.062; and repealing section 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.066; and providing for submission of this act to a vote of the people.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

Bainbridge Island and the following area in King county shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States: Beginning at the outer harbor line in Elliott Bay and Denny Way proceed east on Denny Way, except that unpopulated area known as the Seattle Civic Center, southeast on 4th Avenue, northeast on Wall Street, east on Denny Way, southwest on Bell Street, southeast on 3rd Avenue, northeast on Pike Street, south on Minor Avenue, east on Union Street, north on Summit Avenue and Summit Avenue East, east on East Republican Street, north on Broadway East, east on East Aloha Street, south on 22nd Avenue East, east on East Thomas, north on 37th Ave. East, east and south through Union Bay and Lake Washington including Mercer Island to the southern city limits of the city of Bellevue, then east and north along the southern and eastern city limits of the city of Bellevue, east along the Sunset highway, north along 166th Ave. S.E., east along S.E. 30th into Lake Sammamish, north through Lake Sammamish to N.E. 24th St., west along N.E. 24th St., south along 152nd Ave. N.E., west along N.E. 20th St., generally north along the western city limits of Redmond, west along N.E. 90th St., north along 140th Ave. N.E., west along N.E. 116th St., north along 132nd Ave. N.E., west along N.E. 145th St., north and west along the western and southern city limits of Bothell to the Sammamish River, west along the Sammamish River to Lake Washington, northwest through Lake Washington to the logical extension of 55th Ave. N.E., north along 55th Ave. N.E., west along N.E. 185th St., south along 35th Ave. N.E., west along N.E. 165th St., north along 5th Ave. N.E., west along the King-Snohomish

county line to Puget Sound, generally south through Puget Sound and Elliott Bay to the point of beginning; shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 2. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

The county of Clallam; and the county of Jefferson north of the line dividing townships 27 and 28 north in each of ranges 2 west, 1 west, and 1 east, Willamette Meridian; the counties of Island, San Juan, Whatcom, Skagit, Snohomish; the area in the county of King encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 5th Ave. N.E., proceed east and south along the northern and eastern boundaries of the first congressional district, as described in section 1 of this act, to Lake Sammamish, south through Lake Sammamish to the logical extension of 196th Ave. S.E. south along 196th Ave. S.E. and its logical extension, east along the logical extension of S.E. 288th St., north along the King-Kittitas and the King-Chelan county line, west along the King-Snohomish county line to the point of beginning; shall constitute the second congressional district and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 3. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

That portion of the county of Klickitat not included in the fourth congressional district as described in section 4 of this act; the counties of Skamania, Clark, Cowlitz, Wahkiakum, Lewis, Pacific, Thurston, Grays Harbor, Mason; and that portion of the county of Jefferson not included in the second congressional district as described in section 2 of this act; shall constitute the third congressional district and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 4. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

The counties of Yakima, Benton, Kittitas, Whitman, Grant, Adams, Franklin, Walla Walla, Columbia, Garfield, Asotin, and that portion of the county of Klickitat included in United States census county divisions 1 through 4, shall constitute the fourth congressional district, and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 5. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

The county of Pierce; Vashon and Maury Islands in the county of King; that area of the county of King south of S. 288th St. and S.E. 288th St., and east of 196th Ave. S.E.; and that portion of the county of Kitsap not included in section 1 of this act; shall constitute the sixth congressional district and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 6. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

That portion of the county of King not included in the first, second or sixth congressional districts as described in sections 1, 2 and 5 of this act, shall constitute the seventh congressional district and shall be entitled to one representative in the congress of the United States.

NEW SECTION. Sec. 7. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

(1) Water boundaries follow the outer harbor

line of first class shorelands, the outer limits or line of extreme low tide of second class shorelands, or the main thread of the river or stream.

(2) Street descriptions follow the center line of the named or numbered streets, and a straight line extension thereof where such named or numbered streets have not been cut through, except where the context expressly indicates otherwise.

(3) Street descriptions are as numbered or named, and as delineated, on the records of the county assessor and in conformity with a numbering scheme as set forth by the county engineer, except where the context expressly indicates otherwise.

(4) Municipal and district boundaries are those boundaries of political subdivisions of this state as they existed on January 1, 1965.

**NEW SECTION.** Sec. 8. There is added to chapter 29.68 RCW and to chapter 9, Laws of 1965 a new section to read as follows:

(1) Any area not specifically included within the boundaries of any of the districts as described in this act, and which is completely surrounded by a particular district, shall be a part of that district. Any such area not completely surrounded by a particular district shall be a part of the district having the smallest number of inhabitants and having territory contiguous to such area in the same county in which the area is located.

(2) Any area described in this act as specifically embraced in two or more noninclusive districts shall be a part of the adjoining district having the smallest number of inhabitants and shall not be a part of the other district or districts.

(3) Any area specifically mentioned as embraced within a district but separated from such district by one or more other districts, shall be assigned as though it had not been included in any district specifically described.

(4) The 1960 United States census shall be used for determining the number of inhabitants under the provisions of this act.

**NEW SECTION.** Sec. 9. The following acts or parts of acts are each repealed:

(1) Section 29.68.005, chapter 9, Laws of 1965 and RCW 29.68.005;

(2) Section 29.68.007, chapter 9, Laws of 1965 and RCW 29.68.007;

(3) Section 29.68.011, chapter 9, Laws of 1965 and RCW 29.68.011;

(4) Section 29.68.021, chapter 9, Laws of 1965 and RCW 29.68.021;

(5) Section 29.68.030, chapter 9, Laws of 1965 and RCW 29.68.030;

(6) Section 29.68.040, chapter 9, Laws of 1965 and RCW 29.68.040;

(7) Section 29.68.062, chapter 9, Laws of 1965 and RCW 29.68.062; and

(8) Section 29.68.066, chapter 9, Laws of 1965 and RCW 29.68.066.

**NEW SECTION.** Sec. 10. This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1966 in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

Passed the House May 5, 1965.

Passed the Senate May 6, 1965.

Received directly from the office of Chief Clerk, House of Representatives and filed May 7, 1965 in the office of the Secretary of State.

A. LUDLOW KRAMER, Secretary of State.

COMPLETE TEXT OF

**Proposed  
Constitutional Amendment**

**Sub. SENATE JOINT  
RESOLUTION 6**

Ballot Title as issued by the Attorney General:

**ELECTION OF SUPERIOR COURT JUDGES**

Shall Article IV of the state constitution be amended to provide that where only one candidate has filed for a superior court judge position in a county of 100,000 or more inhabitants, or where after a contested primary in any county only one such candidate is entitled to appear on the general election ballot, certification of election shall issue to such candidate without a further election, unless a write-in campaign is to be conducted?

BE IT RESOLVED, *By the Senate and House of Representatives of the State of Washington, in Legislative Session Assembled:*

THAT, At the next general election to be held in this state there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article IV of the Constitution of the State of Washington by adding thereto a new section to be known as Article IV, section 29, to read as follows:

**NEW SECTION:** Article IV, section 29. 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.

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

Passed the Senate March 24, 1965. Passed the House March 23, 1965.  
JOHN A. CHERBERG, Robert M. Schaefer,  
President of the Senate. Speaker of the House.

**EXPLANATORY COMMENT S.J.R. NO. 6:**  
All words underscored do not appear in the Constitution as it is now written but will be put in if this amendment is adopted.

A. LUDLOW KRAMER, Secretary of State.