



Setting of County Officers' Salaries

Shall the state constitution be amended to allow the legislature to authorize boards of county commissioners and other county legislative authorities to set their own salaries and those of all other county officers, subject to the existing prohibition against mid-term pay increases for those officers who fix their own compensation?

Vote cast by members of the 1971 Legislature on final passage:
SENATE: (49 members) Yeas, 43; Nays, 0; Absent or not voting, 6.
HOUSE: (99 members) Yeas, 95; Nays, 3; Absent or not voting, 1.

NOTE: New special toll-free telephone service offered to voters requesting in-depth information on state measures. See page 5 for details.

Statement for

Vote For SJR 38 to Modernize County Government

In 1889, when the State Constitution was adopted, the duties of county elected officials were similar in every county. Consequently, the Constitution required the legislature to set the salaries. Although today the duties vary greatly from heavily populated urban counties to small rural counties, the Constitution still requires the salary of each elected county official to be set by the legislature (except in King County where home rule permits some local control).

SJR 38 Will Permit the Legislature to Place Responsibility for Setting Salary Levels on Officials Who Determine the Tax Levels

All county elected officials' salaries (except for one-half of the prosecuting attorney's salary) are paid by county revenues. The legislature sets the salary levels but the counties have to pay the bill. Certainly, if the voters can entrust their elected county commissioners to establish levels of taxation and to develop multimillion dollar budgets, these same county commissioners can and should be entrusted to establish appropriate salary levels for the county officials. Since county elected officials' responsibilities vary greatly, it is often difficult for legislators, unfamiliar with the exact duties to set an appropriate salary level.

Who Is Affected by SJR 38?

SJR 38 could affect all elected county officials—auditors, assessors, clerks, commissioners, coroners, prosecuting attorneys, sheriffs and treasurers. The legislature, if SJR 38 passes, could permit the county commissioners to set the salaries of

any or all of these officials. However, if the county commissioners were to authorize an increase for themselves, the increase, because of a Constitutional prohibition, could not take place during their current term of office. Thus, the voters would have a chance to express themselves on the size of salary increases when the commissioners seek re-election.

A Vote For SJR 38 is a Vote for Local Control and Increased Responsiveness to the Electorate

Committee appointed to compose statement FOR Senate Joint Resolution No. 38:

JAMES P. KUEHNLE, State Representative; JONATHAN WHETZEL, State Senator.

Advisory Committee: CHET GARDNER, Cowlitz County Commissioner; FRANK RANDALL, Kitsap County Commissioner.

The Law as it now exists:

The Washington state constitution now provides, in part, that the state legislature shall fix the compensation of all county officers, and of constables in cities having a population of five thousand and upwards. It also provides that public administrators, surveyors and coroners may or may not be salaried officers.

Effect of SJR No. 38 if approved into Law:

The last of the above-mentioned provisions would be deleted by this proposed constitutional amendment. In addition, this amendment would authorize the legislature to delegate to the legislative authorities of the various counties the power to set the salaries of their own members and the salaries of all other county officers. However, this authority would be subject to another existing constitutional prohibition against mid-term pay increases for those officers who fix their own compensation.

NOTE: Ballot title and the above explanatory comment were written by the Attorney General as required by state law. Complete text of Senate Joint Resolution No. 38 starts on Page 102.

Statement against

Before any constitutional amendment can be submitted to the voters for decision, our state constitution requires that the proposal must first be approved by at least two-thirds of the members of each branch of the state legislature.

Senate Joint Resolution No. 38 was so approved by the 1971 Legislature and no member could be enlisted to write a statement against the measure for publication in this pamphlet.

voting on the proposition to levy such additional tax submitted not more than twelve months prior to the date on which the proposed levy is to be made and not oftener than twice in such twelve month period, either at a special election or at the regular election of such taxing district, at which election the number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election;

(b) By any taxing district otherwise authorized by law to issue general obligation bonds for capital purposes, for the sole purpose of making the required payments of principal and interest on general obligation bonds issued solely for capital purposes, other than the replacement of equipment, when authorized so to do by a majority of at least three-fifths of the electors thereof voting on the proposition to issue such bonds and to pay the principal and interest thereon by an annual tax levy in excess of the limitation herein provided during the term of such bonds, submitted not oftener than twice in any calendar year, at an election held in the manner provided by law for bond elections in such taxing district, at which election the total number of persons voting on the proposition shall constitute not less than forty per centum of the total number of votes cast in such taxing district at the last preceding general election: PROVIDED, That any such taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein, AND PROVIDED FURTHER, That the provisions of this section shall also be subject to the limitations contained in Article VIII, section 6, of this Constitution;

(c) By the state or any taxing district for the purpose of paying the principal or interest on general obligation bonds outstanding on December 6, 1934; or for the purpose of preventing the impairment of the obligation of a contract when ordered so to do by a court of last resort.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of 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 January 14, 1971. Passed the House February 26, 1971.
JOHN A. CHERBERG, THOMAS A. SWAYZE, JR.,
President of the Senate. Speaker of the House.

EXPLANATORY COMMENT

All words in double parentheses and lined through are in our State Constitution at the present and are being taken out by this amendment.

COMPLETE TEXT OF

Senate Joint Resolution

5

Proposed Constitutional Amendment

Ballot Title as issued by the Attorney General:

Permitting the Authorization of Lotteries

Shall Article II, § 24 of the state constitution be amended to repeal the present total prohibition against any lottery and to substitute a qualified prohibition which would allow lotteries of any sort to be conducted after there has been specific authorization by (1) an act of the legislature approved by sixty percent of the members of both houses or (2) an initiative or referendum approved by sixty percent of the electors voting thereon?

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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 II of the Constitution of the state of Washington by amending section 24 thereof to read as follows:

Article II, section 24. The legislature shall never ~~(authorize any lottery or)~~ grant any divorce. Lotteries shall be prohibited except as specifically authorized upon the affirmative vote of sixty percent of the members of each house of the legislature or, notwithstanding any other provision of this Constitution, by referendum or initiative approved by a sixty percent affirmative vote of the electors voting thereon.

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

Passed the Senate March 3, 1971.
JOHN A. CHERBERG,
President of the Senate.

Passed the House February 27, 1971.
THOMAS A. SWAYZE, JR.,
Speaker of the House.

EXPLANATORY COMMENT

All words in double parentheses and lined through are in our State Constitution at the present and are being taken out by this amendment. All words underscored do not appear in the State Constitution as it is now written but will be put in if this amendment is adopted.

COMPLETE TEXT OF

Senate Joint Resolution

38

Proposed Constitutional Amendment

Ballot Title as issued by the Attorney General:

Setting of County Officers' Salaries

Shall the state constitution be amended to allow the legislature to authorize boards of county commissioners and other county legislative authorities to set their own salaries and those of all other county officers, subject to the existing prohibition against mid-term pay increases for those officers who fix their own compensation?

BE IT RESOLVED, *By the Senate and the 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 XI of the state Constitution by amending section 5 (Amendment 12) and section 8 thereof to read as follows:

Article XI, section 5. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties, and fix their terms of office: PROVIDED, That the legislature may, by general laws, classify the counties by population and provide for the election in certain classes of counties certain officers who shall exercise the powers and perform the duties of two or more officers. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify

the counties by population: PROVIDED, That it may delegate to the legislative authority of the counties the right to prescribe the salaries of its own members and the salaries of other county officers. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them, or officially come into their possession.

Article XI, section 8. ~~((The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers.))~~ The salary of any county, city, town, or municipal officers shall not be increased except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of 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 May 10, 1971.
JOHN A. CHERBERG,
President of the Senate.

Passed the House May 10, 1971.
THOMAS A. SWAYZE, JR.,
Speaker of the House.

EXPLANATORY COMMENT

All words in double parentheses and lined through are in our State Constitution of the present and are being taken out by this amendment. All words underscored do not appear in the State Constitution as it is now written but will be put in if this amendment is adopted.

COMPLETE TEXT OF

House Joint Resolution

1

Proposed Constitutional Amendment

Ballot Title as issued by the Attorney General:

Tax Exemptions—Periodic Review—Repeal

Shall the state constitution be amended to require periodic legislative review of all exemptions, deductions, exclusions from, or credits against any state or local taxes (except those concerning property held by religious organizations solely for religious or educational purposes) and to repeal automatically the statutory or constitutional provisions granting them unless such provisions are amended or reenacted by the legislature or (where necessary) reapproved by the people before March 1, 1977, and every tenth year thereafter?

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 VII of the Constitution of the state of Washington by adding a new section to read as follows:

NEW SECTION. Article VII, section 12. All statutes and every part or provision of this Constitution which grant to any person, individual, firm, corporation or other business organization, or any public or private body, agency or institution, any exemption, deduction, or exclusion from state or locally imposed taxes or credit for payment of any such taxes against other state tax liability (other than a statute or part thereof granting an exemption from taxes imposed upon property owned or used by a religious organization, corporation, or corporation sole, solely for religious or educational purposes)

shall be reviewed by the legislature commencing before March 1, 1977, and before March 1st of every ten years thereafter. Any such statute or such part thereof which is not amended or reenacted without amendment, and any such constitutional provision which is not reapproved by the people, before March 1, 1977 and before the first day of March ending each ten year period thereafter shall be null and void effective upon such March 1st date. This section shall not apply to the removal or repeal of any tax exemption, deduction, exclusion or credit, if such removal or repeal would be in violation of the laws or Constitution of the United States.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of 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 House April 21, 1971.
THOMAS A. SWAYZE, JR.,
Speaker of the House.

Passed the Senate May 10, 1971.
JOHN A. CHERBERG,
President of the Senate.

COMPLETE TEXT OF

House Joint Resolution

21

Proposed Constitutional Amendment

Ballot Title as issued by the Attorney General:

Allowing Combined County-City Governments

Shall the state constitution be amended to permit the people in any county by majority vote to create a combined "city-county" government through the adoption of a home rule charter under which other municipal corporations having such powers and duties as are prescribed in the charter could also be retained or established, if desired, and to set separate constitutional debt limitations for the "city-county" as thus created and for any new or retained municipal corporations?

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 XI of the Constitution of the State of Washington by amending section 16 (Amendment 23) thereof as follows:

Article XI, section 16. ((The legislature shall, by general law, provide for the formation of combined city and county municipal corporations, and for the manner of determining the territorial limits thereof, each of which shall be known as a "city and county," and, when organized, shall contain a population of at least three hundred thousand (300,000) inhabitants.)) Any county may frame a "Home Rule" charter subject to the Constitution and laws of this state to provide for the formation and government of combined city and county municipal corporations, each of which shall be known as "city-county." Registered voters equal in number to ten (10) percent of the voters of any such county voting at the last preceding general election may at any time propose by a petition the calling of an election of freeholders. The provisions of section 4 of this Article with respect to a petition calling for an election of freeholders to frame a county home rule charter, the election of freeholders, and the framing and adoption of a county home rule charter pursuant to such petition shall apply