



# Senate Joint Resolution 139

PROPOSED CONSTITUTIONAL AMENDMENT

Vote cast by the members of the 1976 Legislature on final passage:  
HOUSE [98 members]: Yeas, 66; Nays, 17; Absent or not voting, 15.  
SENATE [49 members]: Yeas, 39; Nays, 2; Absent or not voting, 8.

## Statement for

The Constitution prohibits any salary increase for a legislator from taking effect during the term which the member was serving at the time the increase was granted. This prohibition discriminates against those Senators whose terms are only half completed.

The proposed amendment would allow all members of the Senate to receive a salary increase previously adopted by both houses of the Legislature and signed by the Governor.

All members of the House of Representatives are elected for two-year terms. Therefore, all members of the House will receive a salary increase in January, 1977. However, because Senators are elected to four-year terms, and only one-half of the Senate stands for reelection every two years, those Senators not standing for reelection this year cannot receive their salary increase until January, 1979. Are the responsibilities or the workload any less demanding for those Senators who are presently prohibited from receiving the salary increase? Should not there be equal pay for equal work? Is it fair that, in effect, tax-paying constituents of those Senators presently ineligible for the salary increase should be subsidizing a higher salary for those Senators not representing their district? Should pure chance (in other words, whether or not a Senator is standing for reelection) determine if he or she is eligible for a salary increase?

Let us use common sense and eliminate a discriminatory prohibition based on factors irrelevant to the responsibilities of serving the public.

## Official Ballot Title:

Shall any increase or decrease in the salaries of state legislators become effective for all legislators at the same time?

## The Law as it now exists:

At the present time, the state Constitution prohibits a legislator from receiving a salary increase or decrease during his current term of office. Thus, no member of a legislature by which an increase in legislative pay is enacted may receive that increase unless he or she is reelected.

## Rebuttal of Statement against

Reasonable expense reimbursement, personal campaign expenses and the minimal services provided for legislators are all totally irrelevant to the issue. SJR 139 eliminates a prohibition that discriminates against those Senators whose terms are only half completed. This issue is simply one of equal pay for equal work. Cooperation among members of the legislature is not enhanced when there is a difference in pay for the same work done.

## Voters' Pamphlet Statement Prepared by:

GORDON L. WALGREN, State Senator; JOHN BAGNARIOL, State Representative; and JOLENE UNSOELD.

Because state senators serve staggered four-year terms, those senators who are reelected at the next election after the enactment of the salary increase, together with all state representatives, will receive the increased salary two years earlier than will those senators not then up for reelection.

## The effect of Senate Joint Resolution 139, if approved into Law:

Substitute Senate Joint Resolution No. 139 would cause an increase or decrease in salary to become effective for all members of the legislature at the same time. The effective date of a pay increase would, however, continue to be delayed until the expiration of the current terms of all state representatives and one half of the state senators.

NOTE: The ballot title and explanatory statement were written by the Attorney General as required by state law. The complete text of Senate Joint Resolution 139 begins on Page 19.

## Statement against

### **Your Vote Can Save \$193,146**

Voters can save themselves \$193,146 by voting against SJR 139. That is the cost of paying holdover senators the additional salary permitted by this proposal. All legislators know their salary when they run for office. It's the "contract" they agreed to accept.

### **Legislators Per Diem Averaged Over \$8,000.**

In addition to annual salary, legislators receive \$40 per diem for each day spent for legislative sessions (Legislators were in session over 200 days, thus received \$8,000-plus). Legislators also are allowed \$50 a month expenses when they are not in session, plus substantial postage allowances, telephone services and some secretarial services.

### **Less Campaign Expenses For Senators With 4-Year Terms.**

All house members and half the senators must be reelected before they receive the pay raise voted by them. This should be required for the rest of the senators. By having to campaign only every 4 years, senators save from \$3,000 to \$10,000 campaign expenses.

### **Regain Public Confidence**

Wise present constitutional protection against self-interest votes on pay should be maintained. Holdover senators can help regain public confidence. Credibility of the legislature may be improved if voters know that officials will stand for election regarding their own salary increases. Would senators prefer to run for reelection every two years? (That may be a better constitutional proposal than SJR 139). Let's reject SJR 139 and save nearly \$200,000.

## Rebuttal of Statement for

Change the constitution for exclusive benefit of 24 Senators? Change the contract by which Senators were elected to serve 4-year terms? Remove the opportunity of some Senators to practice economy in use of state dollars with a modest sacrifice for a 2-year period? Senators could eliminate "discrimination" by running for office every 2 years. Do they prefer this? Let's leave the constitution alone. Vote No on SJR 139.

**Voters' Pamphlet Statement Prepared by:**



HAL ZIMMERMAN, State Representative.

the proposition does not exceed forty per centum of the total votes cast in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the electors thereof voting on the proposition to levy when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in such taxing district in the last preceding general election: PROVIDED, That notwithstanding any other provision of this Constitution, any proposition pursuant to this subsection to levy additional tax for the support of the common schools may provide such support for a two year period;

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

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

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.

 <p><b>EXISTING CONSTITUTIONAL PROVISIONS</b></p>	<p><b>NOTE: The proposed constitutional amendment which appears on this page repeals or modifies the effect of other provisions of the state constitution. These affected provisions are printed in the left-hand column of the page so that voters may readily compare them to the proposed changes, in the right-hand column of the page, and determine how the existing constitutional language would be affected.</b></p>	<p><b>PROPOSED CONSTITUTIONAL AMENDMENT</b></p> 
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THE EFFECT OF THESE CONSTITUTIONAL PROVISIONS WOULD BE MODIFIED, BUT NOT REPEALED, BY SENATE JOINT RESOLUTION 139:

**Article II, Section 13**

**LIMITATION ON MEMBERS HOLDING OFFICE IN THE STATE.** No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

**Article XXVIII, Section 1**

**COMPENSATION OF STATE OFFICERS.** All elected state officials shall each severally receive such compensation as the legislature may direct. The compensation of any state officer shall not be increased or diminished during his term of office, except that the legislature, at its thirty-first regular session, may increase or diminish the compensation of all state officers whose terms exist on the Thursday after the second Monday in January, 1949.

The provisions of sections 14, 16, 17, 19, 20, 21, and 22 of Article III and section 23 of Article II in so far as they are inconsistent herewith, are hereby repealed.

COMPLETE TEXT OF



## Senate Joint Resolution 139

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 the Constitution of the state of Washington by amending Article II, section 25 (Amendment 35) to read as follows:

Article II, section 25. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office: PROVIDED, That notwithstanding the provisions of section 13 of Article II, section 1 of Article XXVIII (Amendment 20), and section 1 of Article XXX (Amendment 54), when a salary increase or decrease first becomes effective for a majority of the members of the legislature, such increase or decrease shall then apply to all members of the legislature.



**EXISTING  
CONSTITUTIONAL  
PROVISIONS**

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**PROPOSED  
CONSTITUTIONAL  
AMENDMENT**



**Article XXX, Section 1**

**AUTHORIZING COMPENSATION INCREASE DURING TERM.** The compensation of all elective and appointive state, county, and municipal officers who do not fix their own compensation, including judges of courts of record and the justice courts, may be increased during their terms of office to the end that such officers and judges shall each severally receive compensation for their services in accordance with the law in effect at the time the services are being rendered.

The provisions of section 25 of Article II (Amendment 35), section 25 of Article III (Amendment 31), section 13 of Article IV, section 8 of Article XI, and section 1 of Article XXVIII (Amendment 20) insofar as they are inconsistent herewith are hereby repealed.

Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted.

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.

**THE EFFECT OF THESE CONSTITUTIONAL PROVISIONS WOULD BE MODIFIED, BUT NOT REPEALED, BY HOUSE JOINT RESOLUTION 64:**

**Article XI, 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



COMPLETE TEXT OF

**House Joint  
Resolution 64**

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 the Constitution of the state of Washington by adding a new section 17 to Article XI to read as follows:

NEW SECTION. Article XI, section 17. In addition to the methods of framing a "Home Rule" charter which are contained in section 4 of this Article, a charter may be framed as provided in this section. The legislature shall without delay enact legislation that creates the county home rule commission which under the supervision of the legislature shall draft at least three but not more than five model "Home Rule" charters, any one or more of which may be submitted to voters of the county for approval and ratification, or rejection, by either: (1) A resolution of the county legislative authority; or (2) the filing of a petition calling for such an election which is signed by registered voters of any such county equal in number to ten per centum of the voters voting at the last preceding general election in the county. The county home rule commission shall be a temporary commission which shall be appointed by the governor with one-third of the commissioners being members of the legislature, one-third of the commissioners being incumbent elected county officials, and one-third of the commissioners being members of the general public of the state. A new county home rule commission with the same membership qualifications shall be appointed by the governor to redraft any of the model "Home Rule" charters upon the adoption of a resolution by the legislature calling for such appointment.

Upon the approval and ratification of such a proposed "Home Rule" charter by a majority of the voters of the county who vote on such a proposition, the charter shall become the organic law of the county and supersede any existing charter, including amendments thereto, or any existing form of county government, and all special laws inconsistent with such charter.

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.