

Secretary Wyman warns against restricting people's right of initiative/referendum

By **JASON MERCIER**

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Washington's constitution is clear that the people are the sovereigns of the state and before the legislature is granted any power, we reserve for ourselves co-equal lawmaking power. A new bill (HB 2529), however, seeks to prohibit Washingtonians from voting on initiatives or referendums in odd election years. There are many problems with this proposal, including being constitutionally suspect. Among those expressing concern is Secretary of State Kim Wyman.

Secretary Wyman provided me this quote today in response to HB 2529:

“Upon initial review, this bill seems to significantly restrict the citizens ability to provide a check on the legislature. The initiative and referendum process established in our state constitution are founded on a deep populism in Washington. I expect any limits to the long-cherished and constitutionally provided right to referendum and initiative will not be accepted quietly among those we represent.”

During her press conference today on election security, Wyman also said this about HB 2529.

In case some lawmakers need a refresher, here is what Washington's constitution says:

“ARTICLE 1, SECTION 1 POLITICAL POWER. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.”

“ARTICLE 2, SECTION 1 LEGISLATIVE POWERS, WHERE VESTED. The legislative authority of the state of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the state of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section, or part of any bill, act, or law passed by the legislature.”

Despite this clear constitutional right of the people, here is what HB 2529 would do (in-part):

1 (2) Elections held on the first Tuesday after the first Monday of
2 November in odd-numbered years shall be limited to (a) city, town,
3 and district ((general)) elections as provided for in RCW
4 29A.04.330(1)(a), or as otherwise provided by law; (b) ((the)) a
5 special election of federal officers for the remainder of any
6 unexpired terms in the membership of either branch of the congress of
7 the United States; (c) ((the election of state and county officers
8 for the remainder of any unexpired terms of offices created by or
9 whose duties are described in Article II, section 15, Article III,
10 sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3
11 and 5 of the state Constitution and RCW 2.06.080; (d) the election of
12 county officers in any county governed by a charter containing
13 provisions calling for general county elections at this time; and (e)
14 the approval or rejection of state measures, including proposed
15 constitutional amendments, matters pertaining to any proposed
16 constitutional convention, initiative measures and referendum
17 measures proposed by the electorate, referendum bills, and any other
18 matter provided by the legislature for submission to the electorate))

If lawmakers don't want the people to exercise their constitutional right to propose and repeal laws in odd years, perhaps they shouldn't have that power either.



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