

INITIATIVE AND REFERENDUM

State

Under the State Constitution, the voters of the State have the ability to initiate legislation and require the State Legislature to refer legislation to the voters through the powers of initiative and referendum, respectively. Initiatives and referenda are submitted to the voters upon receipt of a petition signed by at least eight percent (initiative) and four percent (referenda) of the number of voters registered and voting for the office of Governor at the preceding regular gubernatorial election. Any law approved in this manner by a majority of the voters may not be amended or repealed by the State Legislature within a period of two years following enactment, except by a vote of two-thirds of all the members elected to each house of the State Legislature. After two years, the law is subject to amendment or repeal by the State Legislature in the same manner as other laws. The initiative power may not be used to amend the State Constitution.

In recent years, a variety of State-wide initiatives have been placed on the ballot and approved by the voters. Certain of these initiatives purported to limit a broad array of taxes and fees, including utility fees, but the measures subsequently were held to be unconstitutional by the Washington Supreme Court. Certain other initiatives, affecting taxes but not utility fees, have been approved by the voters and become law.

Although several State initiatives and referenda were on the November 5, 2002 ballot, none affected the Department. Other tax or fee initiative measures may be filed in the future, but it cannot be predicted whether any such initiatives might gain sufficient signatures to qualify for submission to the State Legislature and/or the voters or, if submitted, whether they ultimately would be approved.

City

Under the City Charter, Seattle voters may initiate local legislation and City Charter amendments and modify existing legislation through the powers of initiative and referendum. There are no pending City measures that affect the Department.