

HOUSE BILL REPORT

HB 1559

As Reported by House Committee On:

State Government

Title: An act relating to information about initiatives.

Brief Description: Requiring more official information about initiatives.

Sponsors: Representative McDermott.

Brief History:

Committee Activity:

State Government: 2/9/01, 2/26/01 [DPS].

Brief Summary of Substitute Bill

- Requires the Office of Financial Management (OFM) to prepare fiscal notes for initiatives to the people, initiatives to the Legislature, and alternative measures proposed by the Legislature.
- Requires the fiscal notes to be posted on the Internet and in the voters' pamphlet.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Miloscia, Democratic Vice Chair; Schindler, Republican Vice Chair; Haigh, Lambert, McDermott and D. Schmidt.

Staff: Serena Dolly (786-7093), Jim Morishima (786-7191).

Background:

The Washington State Constitution provides for two types of initiatives: initiatives to the people and initiatives to the Legislature.

To certify either type of initiative, a sponsor must file the measure with the Secretary of State and obtain a number of legal voter signatures equal to at least 8 percent of the

number of votes cast for the Office of the Governor in the last regular gubernatorial election.

A certified initiative to the people is placed on the ballot at the next state general election. If approved by voters, initiatives to the people are enacted into law. Within two years of enactment, a voter-approved initiative may not be repealed by the Legislature and may only be amended by a two-thirds vote.

A certified initiative to the Legislature is submitted to the Legislature during the regular legislative session in January. The Legislature may:

- Pass the initiative, in which case it becomes law;
- Reject the initiative or do nothing, in which case the initiative is placed on the next general election ballot; or
- Pass an alternative to the initiative, in which case the alternative measure appears along with the original initiative on the next general election ballot.

The voters' pamphlet must provide a variety of initiative information to voters, including:

- A statement from the attorney general explaining the law as it currently exists;
- A statement from the attorney general explaining the effect of the proposed measure if approved into law;
- A statement from proponents advocating voter approval of the measure; and
- A statement from opponents advocating voter rejection of the measure.

Summary of Substitute Bill:

The OFM must prepare a fiscal note for each initiative to the people for which signatures are submitted, for each initiative to the Legislature that will appear on the ballot, and for any alternative measure proposed by the Legislature. The fiscal note must describe any projected increases in revenues, costs, expenditures, or indebtedness incurred by state and local governments and must include a summary of no more than 100 words. The fiscal note will be included in the voters' pamphlet, with the executive summary highlighted, and must be available online at the Secretary of State's website.

Proponents and opponents may submit responses to a fiscal note prepared by the OFM. The responses must include an argument not to exceed 250 words and a rebuttal of the other side's argument not to exceed 75 words. The responses will be included in the voters' pamphlet and must be available online at the Secretary of State's website.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) deletes provisions requiring the attorney general to prepare a

comprehensive summary of each initiative; (2) requires the OFM to prepare a fiscal note for each initiative to the people for which voter signatures are submitted rather than for each initiative to the people certified to ballot; (3) limits the summary of the fiscal note to 100 words; and (4) allows proponents and opponents of an initiative to prepare responses to the fiscal note, which will be included in the voters' pamphlet and available online at the Secretary of State's website.

Appropriation: None.

Fiscal Note: Requested on February 1, 2001.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: (Original bill) The public should be provided with accurate and timely information about initiatives. Voters should know the potential fiscal effects and constitutional issues of an initiative. The bill will help inform the public about an initiative's impacts. The bill does not prohibit any initiative from being certified to ballot and simply provides voters with similar information to what the Legislature receives. Other states provide similar information to voters.

(Support with concerns, original bill) More information to the public about initiatives is a good idea, but the timing in the bill needs to be revised. It is too late to prepare the information when an initiative is certified to ballot. This information should be prepared when signatures are submitted for certification. Most initiatives that submit signatures are eventually certified to ballot.

Testimony Against: All proposed initiative reforms should be set aside for later discussion.

Testified: (In support) Representative McDermott, prime sponsor; Duke Schaub, Associated General Contractors of Washington; Steve Gano, citizen; Glen Hudson, Association of Washington Business; Dan Sexton, Washington Association of Plumbers and Pipefitters; and Paul Telford, Citizens for Responsible Government.

(In support with concerns) Sean Merchant, Office of the Secretary of State.

(Opposed) Chuck Savage, Common Cause of Washington State; and Jim King, Citizens for Parks and Recreation.