

HOUSE BILL REPORT

HB 2196

As Reported By House Committee On:
Government Operations

Title: An act relating to term limits for state-wide elected officials.

Brief Description: Limiting terms of state-wide elected officials.

Sponsors: Representatives Foreman, Pennington, Hymes, Carrell, Campbell, Fuhrman, Hickel and McMahan.

Brief History:

Committee Activity:

Government Operations: 1/19/96, 1/26/96 [DPS].

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Reams, Chairman; Cairnes, Vice Chairman; Goldsmith, Vice Chairman; Hargrove; Hymes; Mulliken; D. Schmidt and Van Luven.

Minority Report: Do not pass. Signed by 7 members: Representatives Rust, Ranking Minority Member; Scott, Assistant Ranking Minority Member; Conway; R. Fisher; Honeyford; Scheuerman and Wolfe.

Staff: Scott White (786-7153).

Background: The state-wide elected offices of Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction, Commissioner of Public Lands, and Insurance Commissioner each hold office for the term of four years.

Initiative Measure 573, approved in 1992, declares that no person is eligible to appear on the ballot or file a declaration of candidacy for the office of Governor or Lieutenant Governor, if the person, by the end of the then current term of office, will have served in that position during eight of the previous 14 years.

Summary of Substitute Bill: The language used in Initiative Measure 573, which restricts the eligibility of a person to appear on a ballot for the offices of Governor or

Lieutenant Governor if they have previously served in that office, is copied and applied to the remaining state-wide, non-judicial, elected officials. Essentially, no person is eligible to appear on the ballot or file a declaration of candidacy for the offices of Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction, Commissioner of Public Lands, or Insurance Commissioner who, by the end of the then current term of office will have served, or but for resignation would have served in that position during eight of the previous 14 years.

The bill does not restrict, in any way, the use of or the validity of write-in votes or write-in campaigns. As a result, the bill does not restrict a person's eligibility to be elected.

The bill is prospective in that no terms or years served in office on or before the second Monday in January 1997 may be used to determine eligibility for appearance on a ballot as it applies to this legislation.

Any resident may bring suit to enforce this legislation and, if the person prevails, shall be awarded reasonable attorneys' fees and costs of suit.

Substitute Bill Compared to Original: The original bill limited any person from being elected to more than two full terms for any state-wide, non-judicial, elected office, eliminating the possibility of ever serving in the same office in future years.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Term limits are healthy for government because they ensure that new blood will consistently be circulated into elected policy making positions.

Testimony Against: The provisions stated in the original bill are unconstitutional, unless they are amended to use the same language in Initiative 573.

Testified: Representative Foreman, prime sponsor; Sharon Newman, Attorney for LIMIT; and Jack Darragher, CLEAN.