H-3777.1

HOUSE BILL 2385

State of Washington 54th Legislature 1996 Regular Session

By Representatives D. Schmidt, Foreman, Appelwick, Thompson, Radcliff, Hargrove, Sheahan, Dyer, Keiser, Chappell, Linville, Crouse, Scheuerman, Pennington, Honeyford, Ballasiotes, Buck, Koster, Veloria, Tokuda, Patterson, Cooke, Sheldon, Campbell, Huff, Quall, Clements, Mason, Backlund, Elliot, Dellwo, Murray, Hickel, Rust, Wolfe, Schoesler, Basich, Johnson, Chopp, Smith, Hymes, McMorris, Carlson, Morris, McMahan, Mitchell, Kessler and Benton

Read first time 01/10/96. Referred to Committee on Government Operations.

AN ACT Relating to petitions to be filed with government; amending RCW 29.79.090, 29.79.100, 29.79.110, and 29.79.490; adding a new section to chapter 42.17 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 Sec. 1. RCW 29.79.090 and 1982 c 116 s 9 are each amended to read 6 as follows:

7 <u>(1)</u> Petitions for proposing measures for submission to the 8 legislature at its next regular session, shall be substantially in the 9 following form:

10

<u>"</u>WARNING

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

1	INITIATIVE PETITION FOR
2	SUBMISSION TO THE LEGISLATURE
3	To the Honorable , Secretary of State of the State of
4	Washington:
5	We, the undersigned citizens and legal voters of the State of
б	Washington, respectfully direct that this petition and the proposed
7	measure known as Initiative Measure No and entitled (here set
8	forth the established ballot title of the measure), a full, true, and
9	correct copy of which is printed on the reverse side of this petition,
10	be transmitted to the legislature of the State of Washington at its
11	next ensuing regular session, and we respectfully petition the
12	legislature to enact said proposed measure into law; and each of us for
13	himself or herself says: I have personally signed this petition; I am
14	a legal voter of the State of Washington in the city (or town) and

14 a legal voter of the state of washington in the city (of town) and 15 county written after my name, my residence address is correctly stated, 16 and I have knowingly signed this petition only once.

17		
18	Petitioner's	‡ Print name ‡ Residence address, ‡ City ‡
19	signature	t for positive t street and number, t or t County
20		t identification t if any t Town t
21		<u>+</u> + + +
23	(Here fo	llow 20 numbered lines divided into columns as below.)
24		* * * *
25 26 27	1"""""""	*
29 30 31	2" " " " "	+ + + + + + + + +
33 34 35	3""""""""	‡ ‡ ‡ ‡ ‡ ‡ ‡ ‡ * * ‡ * * * * *
39	etc. <u>"</u>	

38 (2) In addition, the following must be inserted and completed in at 39 least twenty-point, bold-faced type at the top of each initiative 40 petition where compensation, pay, or other consideration is provided to 41 the person circulating, soliciting, or procuring signatures on that 42 petition:

43 <u>"SIGNATURE GATHERERS ARE BEING PAID BY (type or</u>
 44 legibly print in ink the name of the group, organization, or

1 person paying for the signature gathering) TO CIRCULATE THIS

2 <u>PETITION.</u>

3	<u>Signatures are being gathered by (legibly</u>
4	print the name of the signature gatherer), address:
5	
6	<u>address), signature (signature gatherer's</u>
7	signature)."

8 This statement does not have to appear on a petition for the same 9 initiative measure if compensation, pay, or other consideration is not 10 provided to the person circulating, soliciting, or procuring signatures 11 on that particular petition.

12 **Sec. 2.** RCW 29.79.100 and 1982 c 116 s 10 are each amended to read 13 as follows:

(1) Petitions for proposing measures for submission to the people
 for their approval or rejection at the next ensuing general election,
 shall be substantially in the following form:

17

<u>"</u>WARNING

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

23	INITIATIVE	ΡE	TITI	ON	FOR
24	SUBMISSION	то	THE	PE	OPLE

25 To the Honorable , Secretary of State of the State of 26 Washington:

27 We, the undersigned citizens and legal voters of the State of Washington, respectfully direct that the proposed measure known as 28 29 Initiative Measure No. . . . , entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is 30 printed on the reverse side of this petition, be submitted to the legal 31 voters of the State of Washington for their approval or rejection at 32 the general election to be held on the day of November, 33 19. . .; and each of us for himself or herself says: I have personally 34 35 signed this petition; I am a legal voter of the State of Washington, in

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1 the city (or town) and county written after my name, my residence 2 address is correctly stated, and I have knowingly signed this petition 3 only once.

Petitioner's	‡ Print name ‡ Residence address, ‡ City ‡
signature	‡ for positive‡ street and number, ‡ or‡ County
	t identification t if any t Town t
	* * * *
(Here	follow 20 numbered lines divided into columns as below.)
	‡ ‡ ‡ ‡
1" " " " "	· · · · · · · · · · · · · · · · · · ·
	* * * *
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2	
	$\begin{array}{cccccccccccccccccccccccccccccccccccc$
3""""""	
etc."	
(2)	In addition, the following must be inserted and completed in at
<u>least tw</u>	enty-point, bold-faced type at the top of each initiative
<u>petition</u>	where compensation, pay, or other consideration is provided to
<u>the pers</u>	on circulating, soliciting, or procuring signatures on that
<u>petition</u>	<u>:</u>
"STG	NATURE GATHERERS ARE BEING PAID BY
	bly print in ink the name of the group, organization, or
_	on paying for the signature gathering) TO CIRCULATE THIS
_	
<u>PEIT</u>	FION.
	<u>Signatures are being gathered by (legibly</u>
	print the name of the signature gatherer), address:
	address), signature
	signature)."
	tement does not have to appear on a petition for the same
initiati	ve measure if compensation, pay, or other consideration is not
—	to the person circulating, soliciting, or procuring signatures
<u>on that </u>	<u>particular petition.</u>

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1 sec. 3. RCW 29.79.110 and 1993 c 256 s 10 are each amended to read
2 as follows:

3 (1) Petitions ordering that acts or parts of acts passed by the 4 legislature be referred to the people at the next ensuing general 5 election, or special election ordered by the legislature, shall be 6 substantially in the following form:

<u>"</u>WARNING

8 Every person who signs this petition with any other than his or her 9 true name, knowingly signs more than one of these petitions, signs this 10 petition when he or she is not a legal voter, or makes any false 11 statement on this petition may be punished by fine or imprisonment or 12 both.

13

7

PETITION FOR REFERENDUM

14 To the Honorable , Secretary of State of the State of 15 Washington:

We, the undersigned citizens and legal voters of the State of 16 Washington, respectfully order and direct that Referendum Measure No. 17 18 , filed to revoke a (or part or parts of a) bill that (concise statement required by RCW 29.79.055) and that was passed by the 19 20 legislature of the State of Washington at the last regular (special) session of said legislature, shall be referred to the people 21 of the state for their approval or rejection at the regular (special) 22 23 election to be held on the day of November, 19. . .; and each 24 of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the city 25 (or town) and county written after my name, my residence address is 26 27 correctly stated, and I have knowingly signed this petition only once.

28					
29	Petitioner's	‡ Print name	‡ Residence address	, ‡ City	\$
30	signature	‡ for positive	t street and number,	‡ or	‡ County
31		‡ identification	‡ if any	‡ Town	‡
32		‡	‡	‡	\$
334 34	(Here f	follow 20 nu	mbered line:	s divided	into columns as below.)
35		‡	‡	‡	\$
36 37		‡ +	‡ +	‡ +	‡ +
38	1""""""		÷ · · · · · ·	·· ‡ ·· ·· ·· ··	+ +
40		‡	‡	‡	‡

1 2	2"""""" [‡] """" [‡] """" [‡] """" [‡] """"" [‡] """"""""
-	⁺ ⁺ ⁺ ⁺ ⁺ ⁺ ⁺ ⁺ ⁺ ⁺
9	(2) In addition, the following must be inserted and completed in at
10	least twenty-point, bold-faced type at the top of each referendum
11	petition where compensation, pay, or other consideration is provided to
12	the person circulating, soliciting, or procuring signatures on that

13 petition:

14 <u>"SIGNATURE GATHERERS ARE BEING PAID BY (type or</u> 15 legibly print in ink the name of the group, organization, or 16 person paying for the signature gathering) TO CIRCULATE THIS 17 <u>PETITION.</u>

18 Signatures are being gathered by (legibly 19 print the name of the signature gatherer), address: 20 (legibly print the signature gatherer's 21 address), signature (signature gatherer's 22 signature)."

23 This statement does not have to appear on a petition for the same 24 referendum measure if compensation, pay, or other consideration is not 25 provided to the person circulating, soliciting, or procuring signatures 26 on that particular petition.

27 **Sec. 4.** RCW 29.79.490 and 1993 c 256 s 4 are each amended to read 28 as follows:

29 Every person shall be guilty of a gross misdemeanor who:

30 (1) For any consideration or gratuity or promise thereof, signs or31 declines to sign any initiative or referendum petition; or

(2) Provides or receives consideration for soliciting or procuring signatures on an initiative or referendum petition if any part of the consideration is based upon the number of signatures solicited or procured, or offers to provide or agrees to receive such consideration any of which is based on the number of signatures solicited or procured; or (3) Gives or offers any consideration or gratuity to any person to
 induce him or her to sign or not to sign or to vote for or against any
 initiative or referendum measure; or

4 (4) Interferes with or attempts to interfere with the right of any 5 voter to sign or not to sign an initiative or referendum petition or 6 with the right to vote for or against an initiative or referendum 7 measure by threats, intimidation, or any other corrupt means or 8 practice; or

9 (5) Receives, handles, distributes, pays out, or gives away, 10 directly or indirectly, money or any other thing of value contributed by or received from any person, firm, association, or corporation whose 11 residence or principal office is, or the majority of whose members or 12 13 stockholders have their residence outside, the state of Washington, for any service rendered for the purpose of aiding in procuring signatures 14 15 upon any initiative or referendum petition or for the purpose of aiding 16 in the adoption or rejection of any initiative or referendum measure: PROVIDED, That this subsection shall not apply to or prohibit any 17 activity which is properly reported in accordance with the applicable 18 19 provisions of chapter 42.17 RCW; or

20 (6) Circulates, solicits, or procures, or attempts to procure, signatures upon an initiative or referendum petition that fails to meet 21 the requirements of RCW 29.79.080, 29.79.090, 29.79.100, or 29.79.110, 22 23 including, where applicable, the requirements that: (a) The statement 24 be included indicating that signature gatherers are being paid or 25 otherwise receiving consideration to gather signatures; (b) the name of 26 the group, organization, or person paying for signature gathering be inserted; and (c) the name, address, and signature of the person who 27 circulates, solicits, or procures, or attempts to procure, signatures 28 on the petition be inserted. 29

A gross misdemeanor under this section is punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

32 <u>NEW SECTION.</u> Sec. 5. A new section is added to chapter 42.17 RCW 33 to read as follows:

In addition to filing monthly periodic reports with the commission, a political committee that pays or provides consideration, compensation, gratuities, rewards, or anything of value to persons for circulating, soliciting, procuring, or obtaining, or attempting to procure, signatures on a state initiative or referendum petition shall

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file the reports required under RCW 42.17.080 on the twenty-first day 1 and seventh day immediately before the date the petitions must be filed 2 3 and on the tenth day of the first month after the petitions are filed. 4 The requirement under RCW 42.17.080 on keeping current books of account also apply to the eight days immediately before the last date 5 the petitions may be filed for a political committee that pays or 6 7 provides consideration, compensation, gratuities, rewards, or anything 8 of value to persons for circulating, soliciting, procuring, or 9 obtaining, or attempt to procure, signatures on a state initiative or 10 referendum petition.

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