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**SENATE BILL 6504**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** Senators Fraser, McDonald, Haugen and Kohl; by request of Secretary of State

Read first time 01/16/96. Referred to Committee on Government Operations.

1 AN ACT Relating to the state voters' pamphlet; adding new sections  
2 to chapter 29.81 RCW; and repealing RCW 29.81.010, 29.81.011,  
3 29.81.012, 29.81.014, 29.81.020, 29.81.030, 29.81.040, 29.81.042,  
4 29.81.043, 29.81.050, 29.81.052, 29.81.053, 29.81.060, 29.81.070,  
5 29.81.080, 29.81.090, 29.81.100, 29.81.110, 29.81.120, 29.81.130,  
6 29.81.140, 29.81.150, 29.81.160, and 29.81.180.

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

8 NEW SECTION. **Sec. 1.** When at least one state-wide measure or  
9 office is scheduled to appear on the general election ballot, the  
10 secretary of state shall print and distribute a voters' pamphlet.

11 The secretary of state shall distribute the voters' pamphlet to  
12 each household and to state and county officers and public libraries,  
13 and shall reserve a supply for additional distribution. The secretary  
14 of state shall also produce taped or Braille transcripts of the voters'  
15 pamphlet, publicize their availability, and mail without charge a copy  
16 to any person who requests one.

17 NEW SECTION. **Sec. 2.** The voters' pamphlet must contain:

- 1 (1) The serial designation or number, the ballot title, the  
2 legislative title if any, and the full text and arguments advocating  
3 voters' approval or rejection of each measure or bill;
- 4 (2) Written statements advocating the candidacies of nominees for  
5 the office of president and vice-president of the United States, United  
6 States senator, United States representative, governor, lieutenant  
7 governor, secretary of state, state treasurer, state auditor, attorney  
8 general, superintendent of public instruction, commissioner of public  
9 lands, insurance commissioner, state senator, state representative,  
10 justice of the supreme court, judge of the court of appeals, or judge  
11 of the superior court. Candidates may also submit a campaign mailing  
12 address and telephone number and a photograph not more than five years  
13 old and of a size and quality that the secretary of state determines to  
14 be suitable for reproduction in the voters' pamphlet;
- 15 (3) In odd-numbered years information about candidates who appear  
16 on the ballot to fill a vacant state-wide elective office;
- 17 (4) In even-numbered years a section explaining how voters may  
18 participate in the election campaign process; the address and telephone  
19 number of the public disclosure commission established under RCW  
20 42.17.350; a summary of the disclosure requirements that apply when  
21 contributions are made to candidates and political committees; and an  
22 explanation of the federal income tax credits and deductions available  
23 to persons who make contributions;
- 24 (5) In even-numbered years the name, address, and telephone number  
25 of each political party with nominees listed in the pamphlet, if filed  
26 with the secretary of state by the state committee of a major political  
27 party or the presiding officer of the convention of a minor political  
28 party;
- 29 (6) In each odd-numbered year immediately before a year in which a  
30 president of the United States is to be nominated and elected,  
31 information explaining the precinct caucus and convention process used  
32 by each major political party to elect delegates to its national  
33 presidential candidate nominating convention. The pamphlet must also  
34 provide a description of the statutory procedures by which minor  
35 political parties are formed and the statutory methods used by the  
36 parties to nominate candidates for president;
- 37 (7) In even-numbered years a description of the office of precinct  
38 committee officer and its duties;
- 39 (8) An application form for an absentee ballot;

1 (9) A brief statement explaining the deletion and addition of  
2 language for proposed measures under section 5 of this act;

3 (10) Any additional information pertaining to elections as may be  
4 required by law or in the judgment of the secretary of state is deemed  
5 informative to the voters.

6 NEW SECTION. **Sec. 3.** Separate, specially appointed six-member  
7 committees shall write and submit arguments advocating the approval or  
8 rejection of each state-wide ballot issue and rebuttals of those  
9 arguments. The secretary of state, the presiding officer of the  
10 senate, and the presiding officer of the house of representatives shall  
11 appoint the initial two members of each committee. In making these  
12 committee appointments the secretary of state and presiding officers of  
13 the senate and house of representatives shall consider legislators,  
14 sponsors of initiatives and referendums, and other interested groups  
15 known to advocate or oppose the ballot measure.

16 The initial two members may select up to four additional members,  
17 and the committee shall elect a chairperson. The remaining committee  
18 member or members may fill vacancies through appointment.

19 After the committee submits its initial argument statements to the  
20 secretary of state, the secretary of state shall transmit the  
21 statements to the opposite committee. The opposite committee may then  
22 prepare rebuttal arguments. Rebuttals may not interject new points.

23 The voters' pamphlet may contain only argument statements prepared  
24 according to this section. Arguments may contain graphs and charts  
25 supported by factual statistical data and pictures or other  
26 illustrations. Cartoons or caricatures are not permitted.

27 The secretary of state shall set deadlines for submitting arguments  
28 and rebuttals by rule.

29 NEW SECTION. **Sec. 4.** The secretary of state shall determine the  
30 format of the voters' pamphlet. The secretary of state shall print the  
31 pamphlet in clear, readable type on a size, quality, and weight of  
32 paper that in the judgment of the secretary of state best serves the  
33 voters. The pamphlet must contain a table of contents. Candidates'  
34 photographs and statements must appear in the pamphlet in the same  
35 sequence as they appear on the general election ballot. Measures and  
36 arguments must be printed in the order specified by RCW 29.79.300.

1 The voters' pamphlet must list information about each state-wide  
2 issue on the ballot in the following order:

3 (1) The top one-third of the first two facing pages relating to a  
4 specific measure must contain:

5 (a) The legal identification of the measure by serial designation  
6 and number;

7 (b) The official ballot title of the measure;

8 (c) A statement prepared by the attorney general explaining the law  
9 as it presently exists;

10 (d) A statement prepared by the attorney general explaining the  
11 effect of the proposed measure if it becomes law;

12 (e) The total number of votes cast for and against the measure in  
13 the state senate and house of representatives, if the measure has been  
14 passed by the legislature;

15 (f) A heavy double-ruled line across both pages to set the above  
16 items apart from the remaining text.

17 (2) The lower portion of the left page of the two facing pages is  
18 for the argument advocating the voters' approval of the measure  
19 together with any rebuttal statement of the opposing argument.

20 (3) The lower portion of the right-hand page of the two facing  
21 pages is for the argument advocating the voters' rejection of the  
22 measure together with any rebuttal statement of the opposing argument.

23 (4) Each argument or rebuttal statement must be followed by the  
24 names and addresses of the committee members who submitted them, and  
25 may be followed by a telephone number that citizens may call to obtain  
26 information on the ballot measure.

27 (5) The full text of each measure must be published as required in  
28 section 5 of this act.

29 NEW SECTION. **Sec. 5.** State-wide ballot measures that change  
30 existing law must be printed in the voters' pamphlet so that language  
31 proposed for deletion is enclosed by double parentheses and has a line  
32 through it. Proposed new language must be underlined. A statement  
33 explaining the deletion and addition of language must appear as  
34 follows: "All words in double parentheses with a line through them are  
35 state law at the present time and will be taken out of law if the  
36 measure is approved by voters. All words underlined do not appear in  
37 current state law but will be added to the law if the measure is  
38 approved by voters."

1        NEW SECTION.     **Sec. 6.**    To ensure the efficient composition,  
2 publication, and distribution of the voters' pamphlet, all committee  
3 and candidate material must be submitted to the secretary of state  
4 before deadlines established by rule by the secretary of state.

5        NEW SECTION.     **Sec. 7.**    The secretary of state shall reject  
6 statements that in the secretary's opinion contain obscene, profane,  
7 libelous, or defamatory material, or material prohibited from mail  
8 circulation by federal law.    Nominees may not submit photographs  
9 showing the uniform or insignia of an organization that advocates or  
10 teaches racial or religious intolerance.

11        If a statement or photograph submitted is rejected by the secretary  
12 of state, the committee or nominee may appeal to the secretary of state  
13 within five days.    The office of administrative hearings shall  
14 adjudicate the appeal under RCW 34.05.413 through 34.05.476.

15        NEW SECTION.     **Sec. 8.**    (1) The maximum number of words for  
16 statements submitted by candidates is determined according to the  
17 offices sought as follows: State representative, one hundred words;  
18 state senator, judge of the superior court, judge of the court of  
19 appeals, justice of the supreme court, and all state offices voted upon  
20 throughout the state, except that of governor, two hundred words;  
21 president and vice-president, United States senator, United States  
22 representative, and governor, three hundred words.

23        (2) Arguments written by committees under section 3 of this act may  
24 not exceed two hundred fifty words in length.

25        (3) Rebuttal arguments written by committees may not exceed  
26 seventy-five words in length.

27        (4) The secretary of state shall allocate space in the pamphlet to  
28 candidates or nominees according to the respective offices sought.  
29 Candidates or nominees will equally share prorated space based on the  
30 number of words allowed in the statement for that office.

31        NEW SECTION.     **Sec. 9.**    Explanatory statements prepared by the  
32 attorney general under section 4(1)(c) and (d) of this act must be  
33 written in clear and concise language, avoiding legal and technical  
34 terms when possible, and filed with the secretary of state. A person  
35 dissatisfied with the explanatory statement may within ten days of the  
36 filing date appeal to the superior court of Thurston county. A copy of

1 the petition and a notice of the appeal must be served on the secretary  
2 of state and the attorney general. The court shall examine the  
3 measure, the explanatory statement, and objections, and may hear  
4 arguments. The court shall render its decision and certify to and file  
5 with the secretary of state an explanatory statement it determines will  
6 meet the requirements of this chapter.

7 The decision of the superior court is final, and its explanatory  
8 statement is the established explanatory statement. The appeal must be  
9 heard without costs to either party.

10 NEW SECTION. **Sec. 10.** The secretary of state, as chief election  
11 officer, shall adopt rules consistent with this chapter to facilitate  
12 and clarify procedures related to the voters' pamphlet.

13 NEW SECTION. **Sec. 11.** The following acts or parts of acts are  
14 each repealed:

15 (1) RCW 29.81.010 and 1984 c 54 s 4, 1973 1st ex.s. c 143 s 1, &  
16 1965 c 9 s 29.81.010;

17 (2) RCW 29.81.011 and 1984 c 54 s 5;

18 (3) RCW 29.81.012 and 1984 c 54 s 6 & 1969 ex.s. c 72 s 1;

19 (4) RCW 29.81.014 and 1977 c 56 s 1;

20 (5) RCW 29.81.020 and 1973 1st ex.s. c 143 s 2 & 1965 c 9 s  
21 29.81.020;

22 (6) RCW 29.81.030 and 1973 1st ex.s. c 143 s 3 & 1965 c 9 s  
23 29.81.030;

24 (7) RCW 29.81.040 and 1973 1st ex.s. c 143 s 4, 1971 ex.s. c 145  
25 s 4, & 1965 c 9 s 29.81.040;

26 (8) RCW 29.81.042 and 1973 1st ex.s. c 143 s 6;

27 (9) RCW 29.81.043 and 1973 1st ex.s. c 143 s 7;

28 (10) RCW 29.81.050 and 1973 1st ex.s. c 143 s 5 & 1965 c 9 s  
29 29.81.050;

30 (11) RCW 29.81.052 and 1973 1st ex.s. c 143 s 8;

31 (12) RCW 29.81.053 and 1973 1st ex.s. c 143 s 9;

32 (13) RCW 29.81.060 and 1965 c 9 s 29.81.060;

33 (14) RCW 29.81.070 and 1965 c 9 s 29.81.070;

34 (15) RCW 29.81.080 and 1965 c 9 s 29.81.080;

35 (16) RCW 29.81.090 and 1979 ex.s. c 57 s 5 & 1965 c 9 s  
36 29.81.090;

- 1 (17) RCW 29.81.100 and 1973 c 4 s 9, 1971 ex.s. c 145 s 5, & 1965  
2 c 9 s 29.81.100;
- 3 (18) RCW 29.81.110 and 1965 c 9 s 29.81.110;
- 4 (19) RCW 29.81.120 and 1971 ex.s. c 145 s 6 & 1965 c 9 s  
5 29.81.120;
- 6 (20) RCW 29.81.130 and 1965 c 9 s 29.81.130;
- 7 (21) RCW 29.81.140 and 1971 ex.s. c 145 s 7 & 1965 c 9 s  
8 29.81.140;
- 9 (22) RCW 29.81.150 and 1965 c 9 s 29.81.150;
- 10 (23) RCW 29.81.160 and 1965 c 9 s 29.81.160; and
- 11 (24) RCW 29.81.180 and 1981 c 243 s 2.

12 NEW SECTION. **Sec. 12.** Sections 1 through 10 of this act are  
13 added to chapter 29.81 RCW.

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