

HOUSE OF REPRESENTATIVES

Olympia Washington

BilAnalysis

BilNo. HB 2016

Comments/AG/constitutionality/headnotes
Brief title

PubliArg: 3/4/97

Reps Ogden/Scott/Costa
Sponsor

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BACKGROUND:

The attorney general must formulate a summary of any proposed state initiative or referendum ballot measure, consisting of a true and impartial statement of the purpose of the ballot measure. Neither the statement nor the summary may intentionally present an argument, nor be likely to create prejudice, in favor or against the ballot measure. If any person is dissatisfied with the statement or summary, that person may appeal to the superior court of Thurston County setting forth his or her objections and requesting that the court amend the statement or summary. The decision of the superior court is final.

SUMMARY:

The attorney general may add to the summary of any proposed state initiative or referendum ballot measure a comment on the constitutionality and enforceability of the ballot measure, if the attorney general is firmly convinced that, as a matter of settled law, the ballot measure is to a substantial degree contrary to the state constitution or inconsistent with the U.S. Constitution and laws of the United States.

If the attorney general adds such a comment, the attorney general also must publish written opinions setting forth the reasons for the comment. If the comment is subject to judicial review, the reviewing court may strike the comment if it finds that the comment is not justified. However, a decision by the attorney general not to comment on the constitutionality or enforceability of a proposed state initiative or referendum ballot measure is not subject to judicial review.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bills passed.