

SENATE BILL REPORT

EHB 1222

As Reported By Senate Committee On:
Government Operations & Elections, March 30, 2005

Title: An act relating to ballot measure petitions.

Brief Description: Increasing accountability of ballot measure petitions.

Sponsors: Representatives McDermott, Nixon, Ericks, Buri, Simpson, Shabro, Williams, Dickerson, Sells, Ormsby and Haigh.

Brief History: Passed House: 3/08/05, 79-19.

Committee Activity: Government Operations & Elections: 3/21/05, 3/30/05 [DP, DNP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline and Pridemore.

Minority Report: Do not pass.

Signed by Senators Roach, Ranking Minority Member; Benton and Mulliken.

Minority Report: That it be referred without recommendation.

Signed by Senator McCaslin.

Staff: Mac Nicholson (786-7445)

Background: In order to qualify for the general election ballot or be referred to the Legislature, an initiative must garner valid signatures of legal voters in an amount equal to at least 8 percent of the votes cast for the Office of Governor in the last gubernatorial election. In order to qualify for the general election ballot, a referendum must garner valid signatures of legal voters in an amount equal to at least 4 percent of the votes cast for the Office of Governor in the last gubernatorial election.

A person who falsely signs an initiative or referendum petition or signs more than one initiative or referendum petition is guilty of an unranked class C felony. Under the Sentencing Reform Act, an unranked class C felony is punishable by 0-12 months in jail, a fine of up to \$10,000, or both. A person who offers any consideration or gratuity to sign or not to sign an initiative or referendum is guilty of a gross misdemeanor. A gross misdemeanor is punishable by 0-12 months in jail, a fine of \$5,000, or both.

Summary of Bill: Initiative and referendum petitions must contain the following statement:

"I, _____, swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this

sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering any consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both."

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: January 1, 2006.

Testimony For: Washington law doesn't require an individual collecting signatures on an initiative or referendum to sign the signature sheets, making it impossible to trace individual petition signature sheets back to the individual who circulated them. Consequently, when there is evidence of signature fraud on the sheets, there is no way to figure out who forged the signatures. This bill just makes it easy to line up the signature gatherer and the sheets he or she turns in.

Testimony Against: None.

Who Testified: PRO: Pat Thompson, County and City Employees.