

SENATE BILL REPORT

SB 5556

As of January 25, 2006

Title: An act relating to repealing statutes.

Brief Description: Requiring initiatives and referenda to set forth repealed language in full.

Sponsors: Senators Fraser, Swecker, Rockefeller, Kline, Shin, Franklin, Regala, Pridemore, Weinstein, Poulsen, Kohl-Welles, McAuliffe, Spanel, Keiser, Jacobsen, Berkey, Prentice, Brown, Fairley and Rasmussen.

Brief History:

Committee Activity: Government Operations & Elections: 1/26/06.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Diane Smith (786-7410)

Background: The State Constitution vests the legislative authority of the state in the Legislature, but the people reserve to themselves the power of initiative. The power of initiative is the power of the people to propose bills, laws, and to enact or reject bills and laws at the polls, independent of the Legislature. The people also reserve the power of referendum. The power of referendum is the power of the people, at their own option, to approve or reject at the polls any act, item, section, or part of any bill, act, or law passed by the Legislature.

Statutes implement these constitutional powers. There is no requirement to set forth the text of statutes repealed by ballot measures. Article II, section 37 of the State Constitution requires that revision or amendment of an act must never be by mere reference to its title. The act revised or the section amended must be set forth at full length.

Summary of Bill: An initiative or referendum that repeals a statute must set forth the language being repealed in its entirety. Failure to do so is presumed to be a violation of Article II, section 37 of the State Constitution.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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