

HOUSE BILL REPORT

SSB 6122

As Passed House - Amended:

April 25, 2009

Title: An act relating to reducing costs of the elections division of the office of the secretary of state.

Brief Description: Reducing costs of the elections division of the office of the secretary of state.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Zarelli and Brandland; by request of Secretary of State).

Brief History:

Committee Activity:

Ways & Means: 4/25/09 [DPA].

Floor Activity

Passed House - Amended: 4/25/09, 90-4.

Brief Summary of Substitute Bill (As Amended by House)

- Reduces election related costs of the Secretary of State.
- Appropriates funding for legal advertising of proposed constitutional amendments and state measures.

HOUSE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member, Bailey, Assistant Ranking Minority Member, Dammeier, Assistant Ranking Minority Member, Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick, Seaquist, and Sullivan.

Staff: Marsha Reilly (786-7135)

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Voters' Pamphlets. The Secretary of State (Secretary) must print and distribute a state voters' pamphlet whenever at least one statewide measure or state office will appear on the general election ballot. The voters' pamphlet must contain the following:

- information on each measure, including the full text of the measure, arguments for and against, and fiscal impact statements;
- candidate statements;
- information on how voters may participate in the election campaign process (in even-numbered years);
- the name, address, and telephone number of each political party with candidates listed in the pamphlet (even-numbered years);
- information regarding the precinct caucus and convention process used by major political parties to elect delegates to its national presidential candidate nominating convention (odd-numbered year before a presidential nomination);
- an application form for an absentee ballot;
- a brief statement explaining the deletions and additions of language for proposed measures; and
- any additional information required by law or in the judgment of the Secretary to be helpful to the voters.

Information for the voters' pamphlet must be submitted to the Secretary by the first of July. Printing of the voters' pamphlets is managed by the State Printer.

County auditors must provide a copy of the state voters' pamphlet to voters temporarily outside the state, out-of-state voters, and overseas and service voters if the pamphlet is available at the time of mailing.

Manuals and Guides. The Secretary is required to produce a voter's guide that details what constitutes voter fraud and discrimination under state elections laws. The guide must be provided to every county election officer and auditor, as well as to any person upon request. A manual explaining all election laws and rules must be prepared and printed by the Secretary in sufficient quantity to be available for use in all vote-counting centers throughout the state.

Certification, Training, and Review Programs. The Secretary must provide training and certification programs for state and county elections personnel, including canvassing board members, and for political party observers. Travel costs for political party observers to attend training and certification are reimbursed by the Secretary.

The Secretary also must conduct a review of election-related policies, procedures, and practices in each county at least once every three years. The review consists of an evaluation of the policies and procedures established by the county for conducting elections and the practices of those conducting the elections. Once the review is complete, the Secretary's election review staff shall issue a report of its findings and recommendations to the county auditor and the county canvassing board. The county auditor or the canvassing board must respond to any findings by identifying steps that will be taken to correct the problems. The Secretary must visit that county before the next primary or general election to verify that the

steps identified to correct the problems are taken. Any findings or recommendations identified in the review may be appealed to the Board.

Overseas and Service Voters. Ballots must be mailed to overseas and service voters at least 30 days before an election by the county auditors. The Secretary must provide envelopes and instructions that explain that the date of the signature is considered the date of mailing; return postage is free if mailed through the US Postal Service; a voter may fax a voted ballot if secrecy is waived; and a voter may obtain and print a ballot through electronic mail.

Summary of Amended Bill:

Voters' Pamphlets. Printing of the voter's pamphlet is no longer managed by the state printer. An application form for an absentee ballot is no longer required to be printed in the pamphlet. Information regarding the precinct caucus and convention process for presidential candidate nominating conventions, a description of the statutory procedures on forming minor political parties, and an explanation on how voters may participate in the election campaign process are no longer required to be printed in the pamphlet.

Explanatory statements for statewide issues prepared by the Attorney General and fiscal impact statements prepared by the Office of Financial Management for inclusion in the voters pamphlet must be submitted to the Secretary no later than August 10.

County auditors are no longer required to mail the state voters' pamphlets to voters outside the state. Instead, web site information must be provided with the ballot materials.

Manuals and Guides. The requirement that the Secretary provide for a voter's guide and an election manual is repealed.

Certification, Training, and Review Programs. Reviews of county election procedures will be conducted once every five years rather than every three years. The Secretary will conduct follow-up reviews within one year, rather than before the next primary or general election.

The Secretary is no longer required to provide training for political party observers or county canvassing board members. The requirement that the Secretary reimburse political parties for travel expenses associated with the certification and training program is removed.

Overseas and Service Voters. The statute requiring the Secretary to furnish ballot envelopes and instructions to overseas and military voters is removed.

Appropriations of \$160,000 are made for legal advertising and constitutional amendments and other ballot measures.

Appropriation: The sum of \$160,000.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This will save the Secretary of State approximately \$500,000, cuts that were included in the budgets. The ballot envelopes are printed by the county auditors, and the Secretary prints envelopes only for a few counties. The bill eliminates the requirement that county auditors send the voters' pamphlet to out-of state voters, allowing them to use regular sized envelopes. The original bill cut the numbers of words in candidates' statements and newspaper legal notices.

(With concerns) The reference to eliminating broadcast notices should be eliminated since the statute states that it is subject to funds appropriated for this purpose.

Persons Testifying: (In support) Katie Blinn, Office of the Secretary of State.

(With concerns) Becky Bogard, Washington State Association of Broadcasters

Persons Signed In To Testify But Not Testifying: None.