

SENATE BILL REPORT

SB 6174

As Reported by Senate Committee On:
Government Operations & Security, January 28, 2016

Title: An act relating to ballot titles for initiatives to the people.

Brief Description: Concerning ballot titles for initiatives to the people.

Sponsors: Senators Ericksen, Fain and Sheldon.

Brief History:

Committee Activity: Government Operations & Security: 1/21/16, 1/28/16 [DP, DNP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Majority Report: Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dandel.

Minority Report: Do not pass.

Signed by Senators Habib and McCoy.

Minority Report: That it be referred without recommendation.

Signed by Senator Takko.

Staff: Samuel Brown (786-7470)

Background: The initiative power is reserved to the people under Article II of the State Constitution. By statute, the ballot title and summary of an initiative are prepared by the Attorney General, subject to appeal to Thurston County Superior Court. The ballot title consists of three things: a statement of the subject of the measure, a concise description of the measure, and a question in a prescribed form. The statement of subject must be 10 or fewer words and sufficiently broad, yet precise, to give notice of the measure's subject. The concise description must be 30 or fewer words, truly and impartially describe the measure, and clearly identify the proposition to be voted on.

Summary of Bill: Any initiative to the people filed with the Secretary of State beginning January 1, 2016 that imposes any tax, fee, or charge, from any source, and in any amount, must be given a ballot title describing it as increasing taxes.

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.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony: PRO: Ballot titles can be a contentious issue. This gives guidance to the Attorney General when crafting the ballot title – if it puts more money in the state treasury, call it a tax. This change will save time and money and prevent litigation. People deserve a more honest ballot title.

CON: This would be introducing a bias into the language that people vote on. It is misleading to call raising a fee or charge, such as the cost of a driver's license or state park admission, a tax.

OTHER: It is problematic to make this retroactive for initiatives that have already been filed. It is challenging currently for sponsors to fit a complex measure into the short ballot title requirements.

Persons Testifying: PRO: Senator Ericksen, prime sponsor.

CON: Steve Zemke, King County Democrats.

OTHER: Kirk Ludden, The Viper's Club.

Persons Signed In To Testify But Not Testifying: No one.