
SENATE BILL 6185

State of Washington

64th Legislature

2016 Regular Session

By Senators Roach, Chase, and Baumgartner

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1 AN ACT Relating to repealing advisory votes; amending RCW
2 29A.32.031, 29A.32.070, 29A.72.040, 29A.72.250, and 29A.72.290;
3 repealing RCW 29A.72.283, 29A.72.285, and 43.135.041; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** Over the past twenty years, the taxpayers
7 have been required to pay increasing taxes and fees to the state,
8 hampering economic growth and limiting opportunities for the citizens
9 of Washington. Since 1993, the voters have repeatedly passed
10 initiatives requiring two-thirds legislative approval or voter
11 approval to raise taxes and majority legislative approval for fee
12 increases. However, the people have not been allowed to vote on a
13 constitutional amendment requiring these protections even though the
14 people have approved them on numerous occasions. Initiative 960
15 passed in 2007 and required, in part, that after July 1, 2011,
16 legislative action raising taxes that is blocked from a public vote
17 or not referred to the people, must be placed on the next general
18 election ballot for an advisory vote of the people. The people want
19 to ensure that tax and fee increases are consistently a last resort.
20 If a constitutional amendment requiring two-thirds legislative
21 approval or voter approval to raise taxes and majority legislative

1 approval for fee increases is submitted to the voters, then it is the
2 intent of the legislature to repeal the requirement that legislative
3 action raising taxes that is blocked from a public vote or not
4 referred to the people, be placed on the next general election ballot
5 for an advisory vote of the people.

6 **Sec. 2.** RCW 29A.32.031 and 2013 c 283 s 2 are each amended to
7 read as follows:

8 The voters' pamphlet published or distributed under RCW
9 29A.32.010 must contain:

10 (1) Information about (~~each measure for an advisory vote of the~~
11 ~~people and~~) each ballot measure initiated by or referred to the
12 voters for their approval or rejection as required by RCW 29A.32.070;

13 (2) In even-numbered years, statements, if submitted, from
14 candidates for the office of president and vice president of the
15 United States, United States senator, United States representative,
16 governor, lieutenant governor, secretary of state, state treasurer,
17 state auditor, attorney general, commissioner of public lands,
18 superintendent of public instruction, insurance commissioner, state
19 senator, state representative, justice of the supreme court, judge of
20 the court of appeals, or judge of the superior court. Candidates may
21 also submit campaign contact information and a photograph not more
22 than five years old in a format that the secretary of state
23 determines to be suitable for reproduction in the voters' pamphlet;

24 (3) In odd-numbered years, if any office voted upon statewide
25 appears on the ballot due to a vacancy, then statements and
26 photographs for candidates for any vacant office listed in subsection
27 (2) of this section must appear;

28 (4) Contact information for the public disclosure commission
29 established under RCW 42.17A.100, including the following statement:
30 "For a list of the people and organizations that donated to state and
31 local candidates and ballot measure campaigns, visit www.pdc.wa.gov."
32 The statement must be placed in a prominent position, such as on the
33 cover or on the first two pages of the voters' pamphlet. The
34 secretary of state may substitute such language as is necessary for
35 accuracy and clarity and consistent with the intent of this section;

36 (5) Contact information for major political parties;

37 (6) A brief statement explaining the deletion and addition of
38 language for proposed measures under RCW 29A.32.080; and

1 (7) Any additional information pertaining to elections as may be
2 required by law or in the judgment of the secretary of state is
3 deemed informative to the voters.

4 **Sec. 3.** RCW 29A.32.070 and 2009 c 415 s 5 are each amended to
5 read as follows:

6 (1) The secretary of state (~~shall~~) must determine the format
7 and layout of the voters' pamphlet published under RCW 29A.32.010.
8 The secretary of state (~~shall~~) must print the pamphlet in clear,
9 readable type on a size, quality, and weight of paper that in the
10 judgment of the secretary of state best serves the voters. The
11 pamphlet must contain a table of contents. Measures and arguments
12 must be printed in the order specified by RCW 29A.72.290.

13 (2) The voters' pamphlet must provide the following information
14 for each statewide issue on the ballot (~~except measures for an~~
15 ~~advisory vote of the people whose requirements are provided in~~
16 ~~subsection (11) of this section~~):

17 ((+1)) (a) The legal identification of the measure by serial
18 designation or number;

19 ((+2)) (b) The official ballot title of the measure;

20 ((+3)) (c) A statement prepared by the attorney general
21 explaining the law as it presently exists;

22 ((+4)) (d) A statement prepared by the attorney general
23 explaining the effect of the proposed measure if it becomes law;

24 ((+5)) (e) The fiscal impact statement prepared under RCW
25 29A.72.025;

26 ((+6)) (f) The total number of votes cast for and against the
27 measure in the senate and house of representatives, if the measure
28 has been passed by the legislature;

29 ((+7)) (g) An argument advocating the voters' approval of the
30 measure together with any statement in rebuttal of the opposing
31 argument;

32 ((+8)) (h) An argument advocating the voters' rejection of the
33 measure together with any statement in rebuttal of the opposing
34 argument;

35 ((+9)) (i) Each argument or rebuttal statement must be followed
36 by the names of the committee members who submitted them, and may be
37 followed by a telephone number that citizens may call to obtain
38 information on the ballot measure;

39 ((+10)) (j) The full text of the measure(÷

1 ~~(11) Two pages shall be provided in the general election voters'~~
2 ~~pamphlet for each measure for an advisory vote of the people under~~
3 ~~RCW 43.135.041 and shall consist of the serial number assigned by the~~
4 ~~secretary of state under RCW 29A.72.040, the short description~~
5 ~~formulated by the attorney general under RCW 29A.72.283, the tax~~
6 ~~increase's most up-to-date ten-year cost projection, including a~~
7 ~~year-by-year breakdown, by the office of financial management under~~
8 ~~RCW 43.135.031, and the names of the legislators, and their contact~~
9 ~~information, and how they voted on the increase upon final passage so~~
10 ~~they can provide information to, and answer questions from, the~~
11 ~~public. For the purposes of this subsection, "names of legislators,~~
12 ~~and their contact information" includes each legislator's position~~
13 ~~(senator or representative), first name, last name, party affiliation~~
14 ~~(for example, Democrat or Republican), city or town they live in,~~
15 ~~office phone number, and office email address)).~~

16 **Sec. 4.** RCW 29A.72.040 and 2008 c 1 s 7 are each amended to read
17 as follows:

18 The secretary of state ((shall)) must give a serial number to
19 each initiative, referendum bill, and referendum measure, ((~~or~~
20 ~~measure for an advisory vote of the people,~~)) using a separate series
21 for initiatives to the legislature, initiatives to the people,
22 referendum bills, and referendum measures, ((~~and measures for an~~
23 ~~advisory vote of the people,~~)) and forthwith transmit one copy of the
24 measure proposed bearing its serial number to the attorney general.
25 Thereafter a measure ((~~shall be~~)) is known and designated on all
26 petitions, ballots, and proceedings as "Initiative Measure
27 No.," or "Referendum Bill No.," "Referendum Measure
28 No.((~~, " or "Advisory Vote No.~~))."

29 **Sec. 5.** RCW 29A.72.250 and 2013 c 11 s 75 are each amended to
30 read as follows:

31 If a referendum or initiative petition for submission of a
32 measure to the people is found sufficient, the secretary of state
33 shall at the time and in the manner that he or she certifies to the
34 county auditors of the various counties the names of candidates for
35 state and district officers certify to each county auditor the serial
36 numbers and ballot titles of the several initiative and referendum
37 measures ((~~and serial numbers and short descriptions of measures~~
38 ~~submitted for an advisory vote of the people~~)) to be voted upon at

1 the next ensuing general election or special election ordered by the
2 legislature.

3 **Sec. 6.** RCW 29A.72.290 and 2013 c 11 s 76 are each amended to
4 read as follows:

5 The county auditor of each county (~~shall~~) must print on the
6 official ballots for the election at which initiative and referendum
7 measures (~~and measures for an advisory vote of the people~~) are to
8 be submitted to the people for their approval or rejection, the
9 serial numbers and ballot titles certified by the secretary of state
10 (~~and the serial numbers and short descriptions of measures for an
11 advisory vote of the people~~). They must appear under separate
12 headings in the order of the serial numbers as follows:

- 13 (1) Initiatives to the people;
- 14 (2) Referendum measures;
- 15 (3) Referendum bills;
- 16 (4) Initiatives to the legislature;
- 17 (5) Initiatives to the legislature and legislative alternatives;
- 18 (6) (~~Advisory votes;~~
- 19 ~~7~~) Proposed constitutional amendments.

20 NEW SECTION. **Sec. 7.** The following acts or parts of acts are
21 each repealed:

- 22 (1) RCW 29A.72.283 (Advisory vote on tax legislation—Short
23 description) and 2008 c 1 s 8;
- 24 (2) RCW 29A.72.285 (Advisory vote on tax legislation—Short
25 description filing and transmittal) and 2008 c 1 s 9; and
- 26 (3) RCW 43.135.041 (Tax legislation—Advisory vote—Duties of the
27 attorney general and secretary of state—Exemption) and 2016 c 1 s 5,
28 2013 c 1 s 6, 2010 c 4 s 3, & 2008 c 1 s 6.

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