

HOUSE BILL REPORT

SB 5224

As Reported by House Committee On:
State Government & Tribal Relations

Title: An act relating to advisory votes.

Brief Description: Concerning advisory votes.

Sponsors: Senators Kuderer, Hunt, Takko, Keiser, Nguyen, Darneille, Das, Wellman, Saldaña, McCoy, Hasegawa and Pedersen.

Brief History:

Committee Activity:

State Government & Tribal Relations: 3/11/19, 3/19/19 [DPA].

Brief Summary of Bill
(As Amended by Committee)

- Repeals provisions that require legislative tax increases to be subject to an advisory vote in which voters at the next general election may express a preference for the tax increases to be repealed or maintained.
- Removes the requirement that the voters' pamphlet contain information about advisory votes.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass as amended. Signed by 5 members: Representatives Gregerson, Chair; Pellicciotti, Vice Chair; Appleton, Dolan and Hudgins.

Minority Report: Do not pass. Signed by 4 members: Representatives Walsh, Ranking Minority Member; Goehner, Assistant Ranking Minority Member; Mosbrucker and Smith.

Staff: Jason Zolle (786-7124).

Background:

Referenda on Legislative Tax Increases. As with other bills, the Legislature may submit a tax increase to the people as a referendum bill for their rejection or approval. However, because

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tax increases support the state by generating revenue, Washington citizens cannot seek a referendum to reject a tax increase passed with an emergency clause.

When a tax increase results in expenditures above the state expenditure limit, the tax increase may not take effect until it is approved in a referendum at the next general election in November. This automatic-referendum provision has never been used. (In 2015 the state expenditure limit was suspended until 2021.)

Advisory Votes on Legislative Tax Increases. Initiative 960, which was approved in 2008, created a process for Washington citizens to participate in an advisory vote on whether a legislative tax increase should be repealed or maintained. The advisory vote occurs at the next general election. An advisory vote is not held, however, if the tax increase is referred to the people as a referendum, or is included in a people's initiative.

This advisory vote requirement was suspended from 2010 to 2011.

Voters' Pamphlets. The Office of the Secretary of State (OSOS) is required to print a voters' pamphlet whenever at least one statewide measure or office is scheduled to appear on the general election ballot. The pamphlet must contain:

- information about initiatives or referenda submitted for the voters' approval or rejection;
- information about measures submitted for advisory vote;
- statements and photographs of candidates for federal offices, many state offices, and appellate or superior court judges;
- contact information for the Public Disclosure Commission and a statement that its website contains information about donors;
- contact information for the major political parties; and
- any additional election information that the OSOS deems required by law or informative to voters.

With respect to advisory votes, the voters' pamphlet must contain:

- a short description of the tax increase, formulated by the Office of the Attorney General;
- the 10-year cost projection for the tax, including a year-by-year breakdown, as determined by the Office of Financial Management; and
- the names of state legislators and how they voted on the legislation.

The OSOS must distribute the pamphlet to each household in the state, to public libraries, and to other locations that the OSOS deems appropriate. The OSOS may make the pamphlet available in electronic form as well.

Summary of Amended Bill:

The requirement that legislation that increases taxes be referred to the people for an advisory vote at the next general election is repealed. Provisions related to advisory votes are repealed

or removed from the code. The voters' pamphlet no longer needs to contain information about advisory votes.

Amended Bill Compared to Original Bill:

The amended bill restores the provision that requires the voters' pamphlet to contain information about initiatives and referenda.

Appropriation: None.

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) The first thing voters see when they open the ballot is a slew of advisory votes. The ballot question for advisory votes is written like a push poll to spread negative information, with misleading and prejudicial language that is included on purpose to increase public resentment to taxes. Voters are not told the reason for the revenue increase. Voters are not told that their vote is advisory and is not binding. It is hard to explain to people why voting matters when their votes on this issue do not count. Government spending is not "for the government"—it is to pay for programs and services for the people. It takes significant time to research information about the revenue increase. The costs are fairly significant by increasing the length of the ballot. This bill eliminates a wasteful expense.

(Opposed) None.

Persons Testifying: Senator Kuderer, prime sponsor; Andrew Villeneuve, Northwest Progressive Institute; Charlotte Persons, League of Women Voters; Janet Way, Majority Rules; Steve Zemke and Catherine Griffith, Tax Sanity; Deborah Viertel; and Julie Anderson, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: None.