
SUBSTITUTE SENATE BILL 6504

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Fraser, McDonald, Haugen and Kohl; by request of Secretary of State)

Read first time 02/02/96.

1 AN ACT Relating to the state voters' pamphlet; adding new sections
2 to chapter 29.81 RCW; and repealing RCW 29.80.010, 29.80.020,
3 29.80.030, 29.80.040, 29.80.050, 29.80.060, 29.80.070, 29.80.080,
4 29.80.090, 29.81.010, 29.81.011, 29.81.012, 29.81.014, 29.81.020,
5 29.81.030, 29.81.040, 29.81.042, 29.81.043, 29.81.050, 29.81.052,
6 29.81.053, 29.81.060, 29.81.070, 29.81.080, 29.81.090, 29.81.100,
7 29.81.110, 29.81.120, 29.81.130, 29.81.140, 29.81.150, 29.81.160, and
8 29.81.180.

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

10 NEW SECTION. **Sec. 1.** When at least one state-wide measure or
11 office is scheduled to appear on the general election ballot, the
12 secretary of state shall print and distribute a voters' pamphlet.

13 The secretary of state shall distribute the voters' pamphlet to
14 each household and to state and county officers and public libraries,
15 and shall reserve a supply for additional distribution. The secretary
16 of state shall also produce taped or Braille transcripts of the voters'
17 pamphlet, publicize their availability, and mail without charge a copy
18 to any person who requests one.

1 The secretary of state shall make the material required to be
2 distributed by this chapter available to the public in electronic form
3 through media such as the Internet and the Washington Information
4 Network. The secretary of state may provide the material in electronic
5 form to computer bulletin boards, print and broadcast news media,
6 community computer networks, and similar services at the cost of
7 reproduction or transmission of the data.

8 NEW SECTION. **Sec. 2.** The voters' pamphlet must contain:

9 (1) The serial designation or number, the ballot title, the
10 legislative title if any, and the full text and arguments advocating
11 voters' approval or rejection of each measure or bill;

12 (2) Written statements advocating the candidacies of nominees for
13 the office of president and vice-president of the United States, United
14 States senator, United States representative, governor, lieutenant
15 governor, secretary of state, state treasurer, state auditor, attorney
16 general, superintendent of public instruction, commissioner of public
17 lands, insurance commissioner, state senator, state representative,
18 justice of the supreme court, judge of the court of appeals, or judge
19 of the superior court. Candidates may also submit a campaign mailing
20 address and telephone number and a photograph not more than five years
21 old and of a size and quality that the secretary of state determines to
22 be suitable for reproduction in the voters' pamphlet;

23 (3) In odd-numbered years information about candidates who appear
24 on the ballot to fill a vacant state-wide elective office;

25 (4) In even-numbered years a section explaining how voters may
26 participate in the election campaign process; the address and telephone
27 number of the public disclosure commission established under RCW
28 42.17.350; a summary of the disclosure requirements that apply when
29 contributions are made to candidates and political committees; and an
30 explanation of the federal income tax credits and deductions available
31 to persons who make contributions;

32 (5) In even-numbered years the name, address, and telephone number
33 of each political party with nominees listed in the pamphlet, if filed
34 with the secretary of state by the state committee of a major political
35 party or the presiding officer of the convention of a minor political
36 party;

37 (6) In each odd-numbered year immediately before a year in which a
38 president of the United States is to be nominated and elected,

1 information explaining the precinct caucus and convention process used
2 by each major political party to elect delegates to its national
3 presidential candidate nominating convention. The pamphlet must also
4 provide a description of the statutory procedures by which minor
5 political parties are formed and the statutory methods used by the
6 parties to nominate candidates for president;

7 (7) In even-numbered years a description of the office of precinct
8 committee officer and its duties;

9 (8) An application form for an absentee ballot;

10 (9) A brief statement explaining the deletion and addition of
11 language for proposed measures under section 5 of this act;

12 (10) Any additional information pertaining to elections as may be
13 required by law or in the judgment of the secretary of state is deemed
14 informative to the voters.

15 NEW SECTION. **Sec. 3.** Committees shall write and submit arguments
16 advocating the approval or rejection of each state-wide ballot issue
17 and rebuttals of those arguments. The secretary of state, the
18 presiding officer of the senate, and the presiding officer of the house
19 of representatives shall appoint the initial two members of each
20 committee. In making these committee appointments the secretary of
21 state and presiding officers of the senate and house of representatives
22 shall consider legislators, sponsors of initiatives and referendums,
23 and other interested groups known to advocate or oppose the ballot
24 measure.

25 The initial two members may select up to four additional members,
26 and the committee shall elect a chairperson. The remaining committee
27 member or members may fill vacancies through appointment.

28 After the committee submits its initial argument statements to the
29 secretary of state, the secretary of state shall transmit the
30 statements to the opposite committee. The opposite committee may then
31 prepare rebuttal arguments. Rebuttals may not interject new points.

32 The voters' pamphlet may contain only argument statements prepared
33 according to this section. Arguments may contain graphs and charts
34 supported by factual statistical data and pictures or other
35 illustrations. Cartoons or caricatures are not permitted.

36 The secretary of state shall set deadlines for submitting arguments
37 and rebuttals by rule.

1 NEW SECTION. **Sec. 4.** The secretary of state shall determine the
2 format of the voters' pamphlet. The secretary of state shall print the
3 pamphlet in clear, readable type on a size, quality, and weight of
4 paper that in the judgment of the secretary of state best serves the
5 voters. The pamphlet must contain a table of contents. Federal and
6 state offices must appear in the pamphlet in the same sequence as they
7 appear on the general election ballot. Measures and arguments must be
8 printed in the order specified by RCW 29.79.300.

9 The voters' pamphlet must list information about each state-wide
10 issue on the ballot in the following order:

11 (1) The top one-third of the first two facing pages relating to a
12 specific measure must contain:

13 (a) The legal identification of the measure by serial designation
14 or number;

15 (b) The official ballot title of the measure;

16 (c) A statement prepared by the attorney general explaining the law
17 as it presently exists;

18 (d) A statement prepared by the attorney general explaining the
19 effect of the proposed measure if it becomes law;

20 (e) The total number of votes cast for and against the measure in
21 the state senate and house of representatives, if the measure has been
22 passed by the legislature;

23 (f) A heavy double-ruled line across both pages to set the above
24 items apart from the remaining text.

25 (2) The lower portion of the left page of the two facing pages is
26 for the argument advocating the voters' approval of the measure
27 together with any rebuttal statement of the opposing argument.

28 (3) The lower portion of the right-hand page of the two facing
29 pages is for the argument advocating the voters' rejection of the
30 measure together with any rebuttal statement of the opposing argument.

31 (4) Each argument or rebuttal statement must be followed by the
32 names and addresses of the committee members who submitted them, and
33 may be followed by a telephone number that citizens may call to obtain
34 information on the ballot measure.

35 (5) The full text of each measure must be published as required in
36 section 5 of this act.

37 NEW SECTION. **Sec. 5.** State-wide ballot measures that change
38 existing law must be printed in the voters' pamphlet so that language

1 proposed for deletion is enclosed by double parentheses and has a line
2 through it. Proposed new language must be underlined. A statement
3 explaining the deletion and addition of language must appear as
4 follows: "All words in double parentheses with a line through them are
5 state law at the present time and will be taken out of law if the
6 measure is approved by voters. All words underlined do not appear in
7 current state law but will be added to the law if the measure is
8 approved by voters."

9 NEW SECTION. **Sec. 6.** To ensure the efficient composition,
10 publication, and distribution of the voters' pamphlet, all committee
11 and candidate material must be submitted to the secretary of state
12 before deadlines established by rule by the secretary of state.

13 NEW SECTION. **Sec. 7.** The secretary of state shall reject
14 statements that in the secretary's opinion contain obscene, profane,
15 libelous, or defamatory material, or material prohibited from mail
16 circulation by federal law.

17 If a statement or photograph submitted is rejected by the secretary
18 of state, the committee or nominee may appeal to the secretary of state
19 within five days. The office of administrative hearings shall
20 adjudicate the appeal under RCW 34.05.413 through 34.05.476.

21 NEW SECTION. **Sec. 8.** (1) The maximum number of words for
22 statements submitted by candidates is determined according to the
23 offices sought as follows: State representative, one hundred words;
24 state senator, judge of the superior court, judge of the court of
25 appeals, justice of the supreme court, and all state offices voted upon
26 throughout the state, except that of governor, two hundred words;
27 president and vice-president, United States senator, United States
28 representative, and governor, three hundred words.

29 (2) Arguments written by committees under section 3 of this act may
30 not exceed two hundred fifty words in length.

31 (3) Rebuttal arguments written by committees may not exceed
32 seventy-five words in length.

33 (4) The secretary of state shall allocate space in the pamphlet to
34 candidates or nominees according to the respective offices sought.
35 Candidates or nominees will equally share prorated space based on the
36 number of words allowed in the statement for that office.

1 (5) A candidate may submit to the secretary of state one rebuttal
2 statement in response to any issue or assertion in the voters' pamphlet
3 statement of another candidate for the same office. A rebuttal
4 statement under this section may not exceed one hundred words and may
5 not deal with any issues not contained in the opposing statement.
6 Rebuttal statements may not be included in the printed voters'
7 pamphlet, but the secretary of state shall promptly make rebuttal
8 statements available to the public in the same electronic forms as
9 provided in section 1 of this act.

10 NEW SECTION. **Sec. 9.** (1) Explanatory statements prepared by the
11 attorney general under section 4(1) (c) and (d) of this act must be
12 written in clear and concise language, avoiding legal and technical
13 terms when possible, and filed with the secretary of state.

14 (2) When the explanatory statement for a measure initiated by
15 petition is filed with the secretary of state, the secretary of state
16 shall immediately provide the text of the explanatory statement to the
17 person proposing the measure and any others who have made written
18 request for notification of the exact language of the explanatory
19 statement. When the explanatory statement for a measure referred to
20 the ballot by the legislature is filed with the secretary of state, the
21 secretary of state shall immediately provide the text of the
22 explanatory statement to the presiding officer of the state senate and
23 the presiding officer of the house of representatives and any others
24 who have made written request for notification of the exact language of
25 the explanatory statement.

26 (3) A person dissatisfied with the explanatory statement may within
27 ten days of the filing date appeal to the superior court of Thurston
28 county. A copy of the petition and a notice of the appeal must be
29 served on the secretary of state and the attorney general. The court
30 shall examine the measure, the explanatory statement, and objections,
31 and may hear arguments. The court shall render its decision and
32 certify to and file with the secretary of state an explanatory
33 statement it determines will meet the requirements of this chapter.

34 The decision of the superior court is final, and its explanatory
35 statement is the established explanatory statement. The appeal must be
36 heard without costs to either party.

1 NEW SECTION. **Sec. 10.** The secretary of state, as chief election
2 officer, shall adopt rules consistent with this chapter to facilitate
3 and clarify procedures related to the voters' pamphlet.

4 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 29.80.010 and 1987 c 295 s 17, 1984 c 54 s 1, 1977 ex.s. c
7 361 s 106, 1975-'76 2nd ex.s. c 4 s 2, 1973 c 4 s 8, & 1965 c 9 s
8 29.80.010;

9 (2) RCW 29.80.020 and 1984 c 54 s 2, 1971 ex.s. c 145 s 1, 1971 c
10 81 s 78, & 1965 c 9 s 29.80.020;

11 (3) RCW 29.80.030 and 1979 ex.s. c 57 s 4 & 1965 c 9 s 29.80.030;

12 (4) RCW 29.80.040 and 1984 c 54 s 3, 1971 ex.s. c 145 s 2, & 1965
13 c 9 s 29.80.040;

14 (5) RCW 29.80.050 and 1971 ex.s. c 145 s 3 & 1965 c 9 s 29.80.050;

15 (6) RCW 29.80.060 and 1965 c 9 s 29.80.060;

16 (7) RCW 29.80.070 and 1965 c 9 s 29.80.070;

17 (8) RCW 29.80.080 and 1981 c 243 s 1;

18 (9) RCW 29.80.090 and 1984 c 54 s 7;

19 (10) RCW 29.81.010 and 1984 c 54 s 4, 1973 1st ex.s. c 143 s 1, &
20 1965 c 9 s 29.81.010;

21 (11) RCW 29.81.011 and 1984 c 54 s 5;

22 (12) RCW 29.81.012 and 1984 c 54 s 6 & 1969 ex.s. c 72 s 1;

23 (13) RCW 29.81.014 and 1977 c 56 s 1;

24 (14) RCW 29.81.020 and 1973 1st ex.s. c 143 s 2 & 1965 c 9 s
25 29.81.020;

26 (15) RCW 29.81.030 and 1973 1st ex.s. c 143 s 3 & 1965 c 9 s
27 29.81.030;

28 (16) RCW 29.81.040 and 1973 1st ex.s. c 143 s 4, 1971 ex.s. c 145
29 s 4, & 1965 c 9 s 29.81.040;

30 (17) RCW 29.81.042 and 1973 1st ex.s. c 143 s 6;

31 (18) RCW 29.81.043 and 1973 1st ex.s. c 143 s 7;

32 (19) RCW 29.81.050 and 1973 1st ex.s. c 143 s 5 & 1965 c 9 s
33 29.81.050;

34 (20) RCW 29.81.052 and 1973 1st ex.s. c 143 s 8;

35 (21) RCW 29.81.053 and 1973 1st ex.s. c 143 s 9;

36 (22) RCW 29.81.060 and 1965 c 9 s 29.81.060;

37 (23) RCW 29.81.070 and 1965 c 9 s 29.81.070;

38 (24) RCW 29.81.080 and 1965 c 9 s 29.81.080;

1 (25) RCW 29.81.090 and 1979 ex.s. c 57 s 5 & 1965 c 9 s
2 29.81.090;

3 (26) RCW 29.81.100 and 1973 c 4 s 9, 1971 ex.s. c 145 s 5, & 1965
4 c 9 s 29.81.100;

5 (27) RCW 29.81.110 and 1965 c 9 s 29.81.110;

6 (28) RCW 29.81.120 and 1971 ex.s. c 145 s 6 & 1965 c 9 s
7 29.81.120;

8 (29) RCW 29.81.130 and 1965 c 9 s 29.81.130;

9 (30) RCW 29.81.140 and 1971 ex.s. c 145 s 7 & 1965 c 9 s
10 29.81.140;

11 (31) RCW 29.81.150 and 1965 c 9 s 29.81.150;

12 (32) RCW 29.81.160 and 1965 c 9 s 29.81.160; and

13 (33) RCW 29.81.180 and 1981 c 243 s 2.

14 NEW SECTION. **Sec. 12.** Sections 1 through 10 of this act are
15 added to chapter 29.81 RCW.

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