H-0567.1			

HOUSE BILL 1189

State of Washington 53rd Legislature 1993 Regular Session

By Representatives Anderson, Reams and Dyer

Read first time 01/20/93. Referred to Committee on State Government.

- 1 AN ACT Relating to ballot issues; amending RCW 29.27.060,
- 2 29.79.040, 29.79.110, 29.27.065, 29.27.067, and 35A.29.120; and adding
- 3 a new section to chapter 29.79 RCW.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 5 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 29.79 RCW 6 to read as follows:
- 7 (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,
- 8 or 82.80.090, the ballot title of any referendum filed against an
- 9 enactment or portion of an enactment of the state legislature or of the
- 10 legislative authority of a unit of local government shall be composed
- 11 of three elements: (a) An identification of the enacting legislative
- 12 body; (b) a concise statement identifying the essential features of the
- 13 enactment against which the referendum is filed; and (c) a question
- 14 asking the voters whether the enactment should or should not be revoked
- 15 by the people. A "yes" vote on the referendum shall have the effect of
- 16 revoking the legislative enactment. The ballot issue shall be
- 17 displayed on the ballot substantially as follows:

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1 Referendum Measure No. XX. The (name of legislative body) has passed

2 a law that (concise statement). Should this law be revoked?
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4 NO

- 5 (2) For a referendum measure against a state enactment, the concise 6 statement shall be prepared by the attorney general and shall not 7 exceed twenty-five words.
- 8 (3) The concise statement for a referendum measure against an 9 enactment of the legislative authority of a unit of local government shall not exceed seventy-five words. If the local governmental unit is 10 a city or a town, the concise statement shall be prepared by the city 11 12 or town attorney. If the local governmental unit is a county, the concise statement shall be prepared by the prosecuting attorney of the 13 14 county. If the unit is a unit of local government other than a city, 15 town, or county, the concise statement shall be prepared by the county within which the unit is located. 16
- 17 (4) A referendum measure against the enactment of a unit of local 18 government shall be advertised in the manner provided for nominees for 19 elective office.
- 20 **Sec. 2.** RCW 29.27.060 and 1985 c 252 s 1 are each amended to read 21 as follows:
 - (1) When a proposed constitution or constitutional amendment or other question is to be submitted to the people of the state for statewide popular vote, the attorney general shall prepare a concise statement posed as a question and not exceeding twenty words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon.

Questions to be submitted to the people of a county or municipality shall also be advertised as provided for nominees for office, and in such cases there shall also be printed on the ballot a concise statement posed as a question and not exceeding seventy-five words containing the essential features thereof expressed in such a manner as to clearly identify the proposition to be voted upon, which statement shall be prepared by the city or town attorney for the city or town, and by the prosecuting attorney for the county or any other ((political subdivision of the state)) unit of local government, other than

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- 1 ((cities)) a city or town, the majority area of which is situated in 2 the county.
- 3 The concise statement constitutes the ballot title.
- 4 (2) The secretary of state shall certify to the county auditors the 5 ballot title for a proposed constitution, constitutional amendment or 6 other state-wide question at the same time and in the same manner as 7 the ballot titles to initiatives and referendums.
- 8 (3) Subsection (1) of this section does not apply to referendum
 9 measures filed against an enactment of the state legislature or against
 10 an enactment of the legislative authority of a unit of local
 11 government, nor does it apply to the extent that other provisions of
 12 state law provide otherwise for a specific type of ballot question or
 13 proposition.
- 14 **Sec. 3.** RCW 29.79.040 and 1982 c 116 s 4 are each amended to read 15 as follows:
- 16 Within seven calendar days after the receipt of an initiative or referendum measure the attorney general shall formulate and transmit to 17 18 the secretary of state ((a)) the concise statement ((posed as a)19 question and not to exceed twenty words,)) required by RCW 29.27.060 or section 1 of this act bearing the serial number of the measure and a 20 summary of the measure, not to exceed seventy-five words, to follow the 21 statement. The statement may be distinct from the legislative title of 22 23 the measure, and shall give a true and impartial statement of the 24 purpose of the measure. Neither the statement nor the summary may 25 intentionally be an argument, nor likely to create prejudice, either for or against the measure. Except as provided for in section 1 of 26 27 this act, such a concise statement shall constitute the ballot title. The ballot title or, for a referendum against a state enactment, the 28 29 concise statement formulated by the attorney general shall be the 30 ballot title of or concise statement for the measure unless changed on appeal. When practicable, the question posed by the ballot title shall 31 be written in such a way that an affirmative answer to such question 32 33 and an affirmative vote on the measure would result in a change in then 34 current law, and a negative answer to the question and a negative vote on the measure would result in no change to then current law. 35
- 36 **Sec. 4.** RCW 29.79.110 and 1982 c 116 s 11 are each amended to read 37 as follows:

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Petitions ordering that acts or parts of acts passed by the legislature be referred to the people at the next ensuing general election, or special election ordered by the legislature, shall be substantially in the following form:

5 WARNING

Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter, or makes any false statement on this petition may be punished by fine or imprisonment or both.

11 PETITION FOR REFERENDUM

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12 To the Honorable, Secretary of State of the State of 13 Washington: We, the undersigned citizens and legal voters of the State of 14 15 Washington, respectfully order and direct that Referendum Measure No. 16, ((entitled (here insert the established ballot title of the measure) being)) filed to revoke a (or part or parts of a) bill that 17 (concise statement required by section 1 of this act) and that was 18 19 passed by the legislature of the State of Washington at the 20 last regular (special) session of said legislature, shall be referred 21 to the people of the state for their approval or rejection at the regular (special) election to be held on the day of November, 22 19..; and each of us for himself or herself says: I have personally 23 signed this petition; I am a legal voter of the State of Washington, in 24 25 the city (or town) and county written after my name, my residence 26 address is correctly stated, and I have knowingly signed this petition 27 only once.